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Board of County Commissioners

Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 2/22/2024
RE: PUDSP232, Sterling Ranch Filing No. 5 PUD/Preliminary Plan

Project Description

A request by Classic SRJ Land, LLC for approval of a combined Planned Unit Development (PUD) and Preliminary Plan to create 72 single-family residential lots in one phase. The 11.66-acre property is currently zoned RR-5 (Residential Rural) and is located north of Sterling Ranch Road, east of Vollmer Road, immediately adjacent to and west of Dines Boulevard. The PUD/Preliminary Plan is within the approved Sterling Ranch Sketch Plan area.

The State Engineer's Office has made a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office has made a favorable recommendation of sufficiency regarding water quantity and dependability. El Paso County Public Health has made a favorable recommendation of sufficiency regarding water quality.

The PUD/Preliminary Plan depicts 72 single-family residential lots (6.2 acres), 2.93 acres of future right-of-way, and four (4) tracts to be used for open space, detention, landscape, fencing, retaining walls, signage, utilities, and parkland (2.52 acres). If the request for a PUD/Preliminary Plan is approved, the applicant will be required to obtain Final Plat approval prior to the issuance of any building permits on the property. There is no public opposition to the requested plan. The Planning Commission recommended approval (9-0).

Notation

There was a discussion regarding the density of the existing Residential Suburban (RS-5000) zoned property to the north and south compared to the requested PUD density. The density proposed is 6.17 dwelling units per acre. RS-5000 allows approximately 8 dwelling units per acre and has no open-space requirements. The applicant, Loren Moreland, Classic SRJ Land, LLC, announced a change in ownership from Jim Morley (SR Land, LLC) to Classic SRJ Land, LLC for the remaining land within the overall Sterling Ranch Development and stated approximately 1,000 units have been approved to date. Please see the Planning Commission Draft Minutes for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

Planning Commission Recommendation and Vote

Mr. Carlson moved / Mr. Whitney seconded to recommend approval for the PUD/Preliminary Plan with eight (8) conditions and two (2) notations that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (9-0)**. The item was heard as a regular agenda item.

Attachments

1. Draft Planning Commission Minutes from February 1, 2024
2. Signed Planning Commission Resolution
3. Planning Commission Staff Report
4. Draft BoCC Resolution

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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting
Thursday, February 1st, 2024
El Paso County Planning and Community Development Department
2880 International Circle – Second Floor Hearing Room
Colorado Springs, Colorado

REGULAR HEARING, 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: THOMAS BAILEY, SARAH BRITTAIN JACK, JIM BYERS, JAY CARLSON, BRANDY MERRIAM, ERIC MORAES, BRYCE SCHUETTELPELZ, TIM TROWBRIDGE, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: WAYNE SMITH.

PC MEMBERS ABSENT: BECKY FULLER, JEFFREY MARKEWICH, AND KARA OFFNER.

STAFF PRESENT: MEGGAN HERINGTON, JUSTIN KILGORE, KARI PARSONS, ASHLYN MATHY, CHRISTIAN HAAS, LACEY DEAN, CHARLENE DURHAM, CARLOS HERNANDEZ MARTINEZ, MIRANDA BENSON, AND LORI SEAGO.

OTHERS PRESENT AND SPEAKING: KEVIN KOFFORD, BLAINE PERKINS, AND LOREN MORELAND.

1. REPORT ITEMS

Mr. Kilgore advised the board that the next PC Hearing is Thursday, February 15th, at 9:00 A.M. Multiple items will have combined staff reports and presentations.

Mr. Bailey gave the board an update regarding the meeting that he and Mr. Carlson recently attended with Commissioner VanderWerf. The purpose was to work towards a meeting between the full BoCC and the entire PC. He thanked the other PC members for providing potential discussion topics. In response to the questions of whether the PC is doing the right thing or should be doing anything differently, he reported that Commissioners VanderWerf and Bremmer stated they are very pleased with the work done by the PC. He thanked the board members for participation in discussions, asking questions, and making points on the record. This contribution gives the BoCC a solid foundation on which to base their final decision.

Mr. Carlson added that one of the first comments made by Commissioner VanderWerf was that the BoCC wants the PC to function independently. The BoCC does not want the PC to operate with thoughts of “what would the BoCC do or think”. He further added that Commissioners VanderWerf and Bremer both mentioned they read through the PC Minutes and pay attention to dissenting votes, if any. Overall, it is important to get their thoughts on the record.

Mr. Bailey noted his appreciation for PCD staff that captures those thoughts and puts the minutes together. Because the BoCC depends on the PC to provide different perspectives, the questions and discussion that take place are important. He stated the BoCC relies upon the minutes to accurately reflect those conversations when they prepare to make their final decision. He reiterated that a meeting between both full boards is in the works.

2. CALL FOR PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA (NONE)

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held January 18th, 2024.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (9-0).

B. P236

HAAS

**MAP AMENDMENT (REZONING)
KNECHT REZONE**

A request by Jon Knecht for approval of a Map Amendment (Rezoning) of 21.03 acres from A-35 (Agricultural) to RR-5 (Residential Rural). The properties are located at 12375 North Meridian Road, 12425 North Meridian Road, and unaddressed Hobbs Road (Parcel Nos. 4218000002, 4218000004, and 4218000023) (Commissioner District No. 1).

PC ACTION: THIS ITEM WAS PULLED TO BE HEARD AS A CALLED-UP CONSENT ITEM PER MR. TROWBRIDGE.

C. P237

PARSONS

**MAP AMENDMENT (REZONING)
STERLING RANCH EAST FILING NO. 5 REZONE**

A request by Classic SRJ Land, LLC for approval of a Map Amendment (Rezoning) 42.03 acres from RR-5 (Residential Rural) to RS-5000 (Residential Suburban). The applicant intends to develop single-family homes pursuant to the approved Sterling Ranch Sketch Plan. The property is located north of the Pawnee Rancheros Subdivision, south of the Future Briargate Parkway/Stapleton Corridor, and east of the Sand Creek Channel. A concurrent Preliminary Plan is also requested. A combined staff report has been provided. (Parcel Nos. 5233000018 and 5200000552) (New Parcel Nos. 5233000024 & 5200000573) (Commissioner District No. 2)

NO PUBLIC COMMENT OR DISCUSSION.

PC ACTION: SCHUETTELPELZ MOVED / CARLSON SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3C, FILE NUMBER P237 FOR A MAP AMENDMENT (REZONING), STERLING RANCH EAST FILING NO. 5 REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND ONE (1) NOTATION, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

D. SP235

PARSONS

**PRELIMINARY PLAN
STERLING RANCH EAST FILING NO. 5 PRELIMINARY PLAN**

A request by Classic SRJ Land, LLC for approval of a Preliminary Plan to create 160 single-family residential lots in four phases. The 47.17-acre property is zoned RR-5 (Residential Rural) and is located south of the future extension of Briargate Parkway/Stapleton Corridor and east of the Sand Creek Channel. A concurrent rezone is also requested. A combined staff report has been provided. The Preliminary Plan is within the approved Sterling Ranch Sketch Plan area. If the request for a Preliminary Plan is approved, the applicant will be required to obtain Final Plat approval prior to the issuance of any building permits on the property. (Parcel Nos. 5233000018 and 5200000552) (New Parcel Nos. 5233000024 & 5200000573) (Commissioner District No. 2).

NO PUBLIC COMMENT OR DISCUSSION.

PC ACTION: TROWBRIDGE MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3D, FILE NUMBER SP235 FOR A PRELIMINARY PLAN, STERLING RANCH EAST FILING NO. 5 PRELIMINARY PLAN, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FOUR (4) CONDITIONS, FOUR (4) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

4. CALLED-UP CONSENT ITEMS

3B. P236

HAAS

**MAP AMENDMENT (REZONING)
KNECHT REZONE**

A request by Jon Knecht for approval of a Map Amendment (Rezoning) of 21.03 acres from A-35 (Agricultural) to RR-5 (Residential Rural). The properties are located at 12375 North Meridian Road, 12425 North Meridian Road, and unaddressed Hobbs Road (Parcel Nos. 4218000002, 4218000004, and 4218000023) (Commissioner District No. 1).

STAFF & APPLICANT PRESENTATIONS

Mr. Trowbridge asked for an explanation of how the rezoning cures the existing issues with the lots. He would also like the public comments to be addressed by the PCD staff and/or applicant. The presentation began.

Mr. Trowbridge asked for more information regarding the FEMA floodplain shown on the drainage analysis presentation slide. He stated he is familiar with the area and it is prone to flooding. He asked if the area highlighted in yellow was the full extent of the floodplain or just the existing creek/drainage.

Mr. Hernandez Martinez explained that the area highlighted was a 100-year FEMA floodplain boundary, "Zone A". Base flood elevations are not currently shown on the slideshow image. He stated the applicant will need to show base flood elevations on the final plat when they request to further subdivide the property. The presentation continued.

Ms. Merriam asked for clarification regarding where the existing driveways are located.

Mr. Hernandez Martinez indicated where those were located on the slideshow image.

Ms. Merriam asked if the two driveways accessing Meridian Road are in line with the County's future plans for that road. Will two driveways continue to be allowed?

Mr. Hernandez Martinez answered that the two driveways will be allowed to remain. One driveway is north of the floodplain for the northern two lots, and one is south of the floodplain, accessing the 1-acre parcel. Crossing over the floodplain would require additional permitting and engineering documentation.

Mr. Trowbridge asked if there are three total access points. It appears there might be two driveways on the 1-acre parcel alone. He stated his understanding is when the final plat is processed, the 1-acre parcel will remain and the northern portion of the property will be divided into multiple parcels. He asked if there is an existing access easement for the eastern, isolated lot.

Mr. Hernandez Martinez deferred to the applicant. (Mr. Trowbridge will ask them later.)

Mr. Trowbridge asked if this property would need to go back to the Board of Adjustment (BOA) after rezoning to RR-5, or does the BOA approval carry over regardless of the zoning district?

Ms. Seago answered that the BOA action is effective even after a zone change to RR-5, if granted. The applicant will not need to return to the BOA for approval of the lot size in a new zoning district.

Mr. Trowbridge asked if the parcel is now considered a legal lot since the BOA gave their approval?

Ms. Seago replied that is *not* the case. The BOA approval only granted that the lot size (1-acre) was acceptable. The applicant will still need to plat the lots during a subdivision process (after rezoning, if approved) to make them legal.

Mr. Trowbridge stated the 1-acre lot will remain non-conforming in the RR-5 zoning.

Ms. Seago replied that is correct and further stated the BOA approval would carry forward. She reiterated that the legal existence of the lot will be cured with the subdivision process.

Mr. Carlson asked if there is a reason the applicant is not currently pursuing four parcels.

Mr. Haas answered that the applicant's hands are tied because the current zoning requires a minimum lot size of 35 acres. Combined, the parcels are approximately 21 acres. To legalize the lot through any subdivision action, they would need to rezone to a district more suitable for the land that they have. Without rezoning, all the parcels would require BOA action to allow their current sizes in the A-35 zoning district and then would still need to go through the subdivision process. He stated the BOA appearance and rezoning could have been done in either order. Ultimately, the 1-acre lot size is closer to meeting RR-5 requirements than A-35. After the platting process, it will be a non-conforming legal lot.

Mr. Carlson asked why they are requesting to split the parcel into a 1-acre, 13-acre, and nearly 7-acre lots instead of more equally divided parcels.

Mr. Haas replied that those sizes are how the parcel is currently divided. He stated the applicant is free to draw the lot lines wherever they'd like after the rezoning is potentially approved. He has not seen a future plat for the property, but he assumes they would propose lot sizes closer to the minimum requirement. Staff presentation concluded; applicant presentation began.

Mr. Kevin Kofford, with Kimley-Horn and Associates, Inc., answered Mr. Carlson's question by stating the applicant intends to submit a request for a Minor Subdivision to plat and legalize the parcels. He did not specify how many lots would be part of the final configuration. Answering Mr. Trowbridge's question, he stated there is not an easement currently in place, but access will be evaluated during the subdivision process. They may propose a shared driveway or a private road depending on the number of parcels, but they have not gotten that far in planning. Regarding the multiple driveways currently in place, he clarified that there is only one north of the floodplain and one south. The northern driveway currently acts as a shared driveway to the two northern parcels. Addressing information Mr. Hernandez Martinez brought up during the drainage presentation, Mr. Kofford stated he has worked with the floodplain administrator regarding Black Squirrel Creek. While current mapping shows "Zone A", a Letter of Map Revision (LOMR) was completed in the past, it is actually a "Zone AE" floodplain, and base flood elevations are known. The presentation continued.

Mr. Carlson asked if any of the existing structures were occupied.

Mr. Kofford replied that only one of the three is currently occupied. The others are uninhabitable and currently in the process of remodeling.

Mr. Bailey asked about the different names, Jon and David Knecht.

Mr. Kofford explained that Jon is the owner of the property. David is the applicant; he is Jon's son.

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: MERRIAM MOVED / TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF CALLED-UP ITEM 3B, FILE NUMBER P236 FOR A MAP AMENDMENT (REZONING), KNECHT REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

5. REGULAR ITEMS

A. PUDSP232

PARSONS

PUD/PRELIMINARY PLAN STERLING RANCH FILING NO. 5 PUD/PRELIMINARY PLAN

A request by Classic SRJ Land, LLC for approval of a combined Planned Unit Development and Preliminary Plan to create 72 single-family residential lots in a single phase of development. The 11.66-acre property is zoned RR-5 (Residential Rural) and is located north of Sterling Ranch Road, east of Vollmer Road, and is immediately adjacent to and west of Dines Boulevard. The PUD/ Preliminary Plan is within the approved Sterling Ranch Sketch Plan area. If the request for a PUD/Preliminary Plan is approved, the applicant will be required to obtain Final Plat approval prior to the issuance of any building permits on the property (Parcel No. 5233302049) (Commissioner District No. 2).

STAFF & APPLICANT PRESENTATIONS

Ms. Parsons presented drone footage of the subject area.

Mr. Moraes asked if either the applicant or PCD staff could soon give an update on how far along the full project has come across the multiple projects.

Ms. Parsons replied that she can give an update on rezoning approvals. Many of the Final Plats have been approved by the BoCC but have not yet been recorded. Many developers choose to construct improvements before putting down collateral. When a Final Plat is recorded, PCD collects all required collateral and fees, which can seem like a “double whammy” if the developer needs to put 100% of the construction collateral up as well as build the improvements at the same time.

Mr. Moraes expressed his understanding. When asking for an update, he is hoping to understand how many projects have come through the hearings process so far and approximately how many future steps need to be taken before this area’s development is complete. Drone footage continued.

Mr. Carlson asked if the industrial area was all camper/RV storage.

Ms. Parsons explained that most of the area is currently used as camper/RV storage. The southern portion is being used for a maintenance garage for a trash company. A pond separates that area from the residential. A trash transfer station is in the development review process. The owners of that property recently had a BOA hearing which approved placement of the structure further north on the property (within setbacks), so it is further away from the residential zoning. She pointed out where that transfer station will be in relation to the subject PUDSP.

Mr. Trowbridge referenced the subdivision currently shown on the drone footage. He noted that the area is zoned RS-5000 (minimum 5,000 sq ft lots) and wonders how the proposed zoning of 3,000 sq ft lots is compatible.

Ms. Parsons clarified that the current proposal's lot sizes range from 3,000 to just over 5,000 sq ft.

Mr. Trowbridge understood there is a range but reiterated that most of the lots are 3,000 sq ft. He questions how the increased density is in harmony with the RS-5000.

Ms. Parsons explained that RS-5000 is a straight zone and equals 8 dwelling units per acre. The currently proposed density is 6.17 dwellings per acre and the applicant is additionally proposing approximately 20% open space. She stated that overall, the current proposal could be considered less dense (even though the lot sizes may be smaller). She added that RS-5000 has no requirement for open space. She stated the applicant has proposed buffering and transition areas to address compatibility from the RS-5000 zoning to a smaller lot size with smaller homes. (Break, then the applicant's presentation began.)

Mr. Trowbridge mentioned that he expected to see multi-family residential as part of the proposal when he saw what the proposed density would be. He asked Mr. Moreland why it was decided that multi-family was not the right direction for the area.

Mr. Moreland, with Classic SRJ Land, LLC, explained that Colorado's construction defect laws have caused multi-family to *not* be advantageous. Developers are setting themselves up for a legal battle in the future, but he hopes that changes in the next few years. He stated Classic Homes does offer paired, two-story patio homes that could either be built individually or paired with other units. He stated many builders are starting to offer that option for affordability. He also mentioned there are tiny 600 sq ft to small 1300 sq ft homes being offered by developers. With those other options being available, he believes what they have proposed will be a good fit for the area.

Mr. Trowbridge acknowledged the hinderance of the construction defect laws.

Mr. Moreland added that if those laws change, he could see Classic requesting an amendment to allow for the multi-family option. He stated that if condos were advantageous to build, they would be quick to jump on board to make it work.

Mr. Carlson asked how developers who are currently building townhomes and condos are getting around the construction defect laws.

Mr. Moreland explained that they often retain a certain number of units to protect themselves.

Mr. Carlson asked how those laws affect multi-family condos and apartments.

Mr. Moreland explained that builders of townhomes and other high-density products face class-action litigation. Apartments are not included in those lawsuits because they are rented out and remain owner controlled. The presentation concluded.

NO PUBLIC COMMENTS OR FURTHER DISCUSSION

PC ACTION: CARLSON MOVED / WHITNEY SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5A, FILE NUMBER PUDSP232 FOR A PUD/PRELIMINARY PLAN, STERLING RANCH FILING NO. 5 PUD/PRELIMINARY PLAN, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH EIGHT (8) CONDITIONS, TWO (2) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

Mr. Whitney commended Ms. Parsons for her presentation.

6. NON-ACTION ITEMS (NONE)

MEETING ADJOURNED at 10:43 A.M.

Minutes Prepared By: Miranda Benson

MAP AMENDMENT (REZONE) – PLANNED UNIT DEVELOPMENT (PUD) AND
PRELIMINARY PLAN (SP) (RECOMMEND APPROVAL)

CARLSON moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. PUDSP232

STERLING RANCH FILING NO. 5 PUD (REZONE) & PRELIMINARY PLAN

WHEREAS, Classic SRJ Land, LLC, did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the PUD (Planned Unit Development) zoning district with a Preliminary Plan proposing a total of 72 attached and detached single-family lots on 11.66 acres; and

WHEREAS, a public hearing was held by this Commission on February 1, 2024; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, the Planning Commission and Board of County Commissioners shall determine that the following criteria for approval outlined in Section 4.2.6 and Section 7.2.1 of the El Paso County Land Development Code, as amended, have been met to approve a PUD zoning district and Preliminary Plan:

1. The proposed PUD district zoning advances the stated purposes set forth in Chapter 4 of the Code.
2. The application is in general conformity with the Master Plan;
3. The proposed development is in compliance with the requirements of the Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
4. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;
5. The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;
6. The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
7. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
8. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;
9. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;

10. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;
11. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;
12. Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and
13. The owner has authorized the application.

WHEREAS, the applicant has also requested the proposed PUD be reviewed and considered as a Preliminary Plan, the requirements identified in Chapter 7 and Chapter 8 of the El Paso County Land Development Code, as amended, for a Preliminary Plan requires the Planning Commission and the Board of County Commissioners find that the following additional criteria for approval of a Preliminary Plan have also been met:

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is consistent with the purposes of the Code;
3. The subdivision is in conformance with the subdivision design standards and any approved Sketch Plan;
4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Code;
5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133 (6)(b)] and the requirements of Chapter 8 of the Code;
6. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133 (6)(c)];
7. Adequate drainage improvements complying with State law [C.R.S. §30-28-133 (3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
8. The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;

9. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
10. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;
11. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
12. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
13. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

WHEREAS, a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Classic SRJ Land, LLC for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from RR-5 (Residential Rural) zoning district to PUD (Planned Unit Development) zoning district with a Preliminary Plan proposing a total of 72 attached and detached single-family lots be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. Development of the property shall be in accordance with this PUD Development Plan. Minor changes in the PUD Development Plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require the submittal of a formal PUD Development Plan amendment application.
2. Approved land uses are those defined in the PUD Development Plan and development guide.

3. All owners of record must sign the PUD Development Plan.
4. The PUD Development Plan and Development Guide shall be recorded in the office of the El Paso County Clerk & Recorder prior to any Final Plat approvals.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471, as amended), at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, as provided by the County Attorney's Office.
8. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of Final Plat(s) recordation.

NOTATIONS

1. Subsequent Final Plat filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.

BE IT FURTHER RESOLVED that the Planning Commission recommends approval of the Planned Unit Development (PUD) as a Preliminary Plan of the Sterling Ranch Filing No. 5 PUD (Rezone) & Preliminary Plan Subdivision.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Whitney seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey
Sarah Brittain Jack

aye / no / non-voting / recused / absent
aye / no / non-voting / recused / absent

Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of 9 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 1st day of February 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By:


Thomas Bailey, Chair

EXHIBIT A

LEGAL DESCRIPTION: STERLING RANCH FILING NO.5 PUD/PRELIMINARY PLAN

TRACT B, BRANDING IRON AT STERLING RANCH FILING NO. 2 RECORDED UNDER RECEPTION NO. 220714654
IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER

SAID PARCEL CONTAINS 856,016 SQUARE FEET (11.66 ACRES, MORE OR LESS).

COMMISSIONERS:
CAMI BREMER (CHAIR)
CARRIE GEITNER (VICE-CHAIR)

HOLLY WILLIAMS
STAN VANDERWERF
LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Kari Parsons, Senior Planner
Charlene Durham, PE, Senior Engineer
Meggan Herington, AICP, Executive Director

RE: Project File Number: PUDSP232
Project Name: Sterling Ranch Filing No. 5 PUD (Rezone) & Preliminary Plan
Parcel Number: 5233302049

OWNER:	REPRESENTATIVE:
Classic SRJ Land, LLC 8605 Explorer Dr, Suite 250 Colorado Springs, CO, 80920	N.E.S., Inc. 619 North Cascade Avenue, Suite 200 Colorado Springs, CO 80903

Commissioner District: 1

Planning Commission Hearing Date:	2/1/2024
Board of County Commissioners Hearing Date:	2/22/2024

EXECUTIVE SUMMARY

A request by Classic SRJ Land, LLC, for approval of a Map Amendment (Rezoning) of 11.66 acres from RR-5 (Residential Rural) to PUD (Planned Unit Development) to allow for single-family attached and detached residential lots. The applicant is also requesting the Sterling Ranch Filing No. 5 PUD Development Plan be approved as a Preliminary Plan with a finding of water sufficiency for water quality, dependability, and quantity.



The property is located north of Sterling Ranch Road, east of Vollmer Road immediately adjacent to and west of Dines Boulevard. The Preliminary Plan includes 72 single-family residential lots (6.2 acres), four (4) tracts to be used for open space, detention, landscape, fencing, signage, utilities, and parkland (2.52 acres), and 2.93 acres of future right-of-way.

The applicants are also requesting approval to perform pre-subdivision site grading to include the installation of wet utilities.

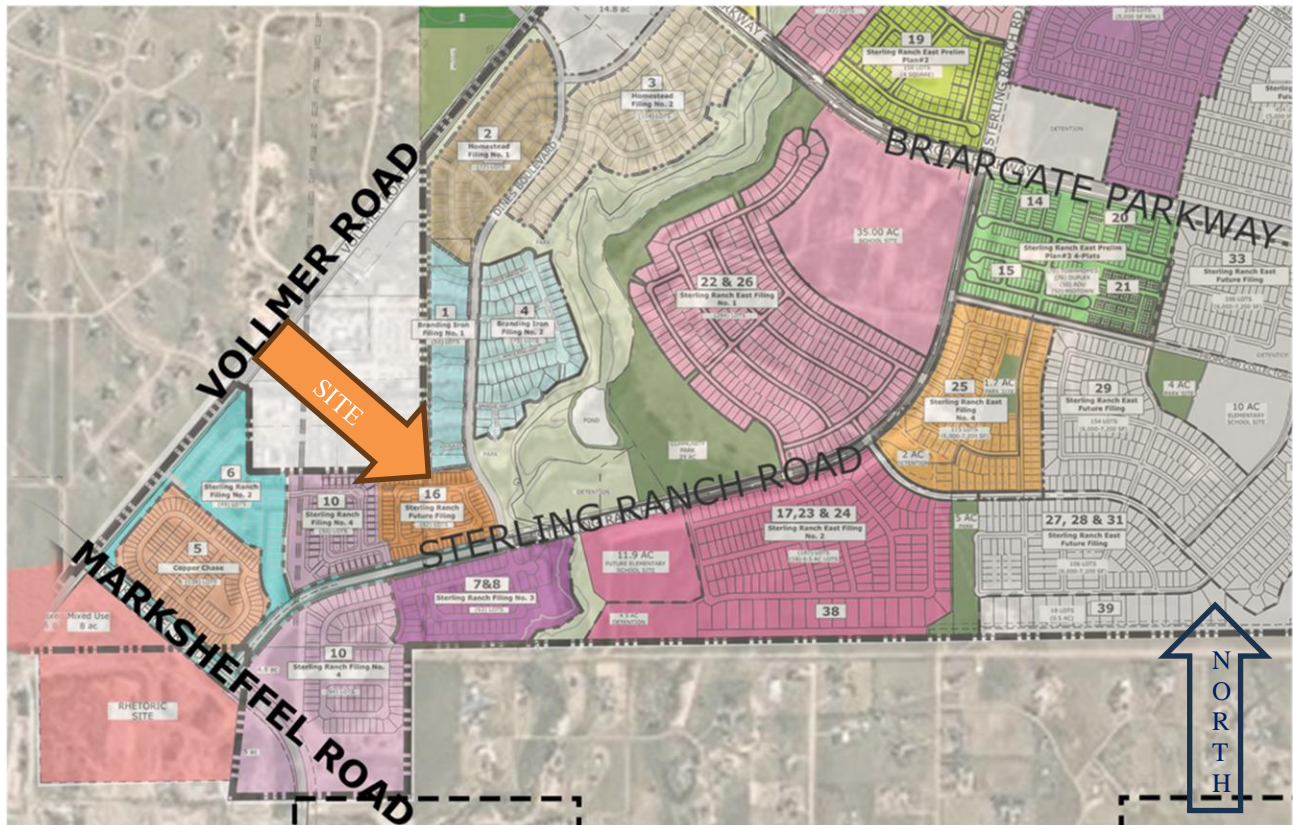


Figure: Overall Context Map

A. AUTHORIZATION TO SIGN

Approval by the Board of the Preliminary Plan with a finding of sufficiency for water quality, quantity, and dependability, authorizes the Planning and Community Development Department Director to administratively approve all subsequent Final Plat(s) consistent with the Preliminary Plan as well as the associated Subdivision Improvements Agreements, License and Detention Pond Maintenance Agreements, and any other documents necessary to carry out the intent of the Board of County Commissioners.

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B. APPROVAL CRITERIA

In approving a Planned Unit Development Plan (Rezoning), the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 4.2.6, (PUD) of the El Paso County Land Development Code, as amended:

- The proposed PUD District zoning advances the stated purposes set forth in Section 4 of the Code;
- The application is in general conformity with the Master Plan;
- The proposed development is in compliance with the requirements of the Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
- The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area;
- The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;
- The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
- Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
- Open spaces and trails are integrated into the Development Plan to serve as amenities to residents and provide a reasonable walking and biking opportunities;
- The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g., fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;
- The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;
- The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere

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- with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;
- Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the Development Plan and development guide; and
- The owner has authorized the application.

The applicants have also requested the proposed PUD be reviewed and considered as a Preliminary Plan. In approving a Preliminary Plan, Section 7.2.1.D.2 of the El Paso County Land Development Code, as amended, states the BoCC shall find that:

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of the Code;
- The subdivision is in conformance with the subdivision design standards and any approved Sketch Plan;
- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code (this finding may not be deferred to Final Plat if the applicant intends to seek administrative Final Plat approval);
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Code;
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
- The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;

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- Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
- The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;
- Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
- The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

C. LOCATION

North:	I-3 (Heavy Industrial)	Industrial
	RR-5 (Residential Rural)	Residential Single-family
South:	RS-5000 (Residential Suburban)	Residential Single-family
East:	RS-5000 (Residential Suburban)	Undeveloped
West:	RS-5000 (Residential Suburban)	Undeveloped

D. BACKGROUND

The Sterling Ranch Sketch Plan, consisting of 1,443.70 acres, and a maximum of 5,225 residential units was heard and approved by the Board of County Commissioners on November 18, 2008. A Minor Sketch Plan amendment was administratively approved

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on December 15, 2022, which relocated the school sites, parkland, utility sites, and lowered the maximum number of residential units to 4,800.

The requested PUD Rezone and Preliminary Plan have a density of 6.17 dwelling units per acre and are in conformance with the approved Sterling Ranch Sketch Plan which depicts a density of 5 to 8 dwelling units per acre in the subject project area.

E. ANALYSIS

1. Land Development Code Compliance

The applicant is proposing a PUD, Planned Unit Development, zoning district of 11.66 acres. In accordance with Section 4.2.6.E of the El Paso County Land Development Code (as amended), a PUD Development Plan may be approved as a Preliminary Plan.

The PUD and Preliminary Plan include 72 single-family residential lots with a minimum lot size of 3,000 square feet, four (4) open-space tracts (2.52 acres), which includes a 0.78-acre designated pocket park with landscape and park benches within the center of the development, and pedestrian connections to the overall development via sidewalks. Sidewalk connections through the development will connect to the adjacent park, which will provide a connection to the Sand Creek Regional trail corridor located further to the east of the development.

The adjacent properties to the north, south, east and west included in the Sterling Ranch Sketch Plan are zoned RS-5000 (Residential Suburban) and are developed or developing single-family lots except for existing I-3 (industrial) zoned property on the western portion of the north property line of the subject development. A 15-foot landscape buffer which includes a 6-foot opaque vinyl fence, trail corridor, and a detention pond tract to be owned and maintained by the Sterling Ranch Metropolitan District, buffers the western portion on the north boundary of the subject property adjacent to the Industrial zone property (which includes a trash transfer station and a maintenance facility).

Additionally, the proposed PUD Development Plan depicts a landscape buffer along the remaining northern property which is adjacent to existing urban residential development. Sterling Ranch Road lies adjacent to the south. A 6-foot concrete wall and landscaping are depicted along the southern property line. A 15' landscape tract buffers the western boundary of the subject property to the existing urban residential development. The east boundary of the subject property includes a 21-foot-wide

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landscape tract with a pedestrian trail adjacent to Dines Road. East of Dines Road lies a community park.

Section 4.2.6.F.8, Planned Unit Development District of the Land Development Code requires a minimum of ten (10) percent of the overall residential PUD be set aside as open space area. The open space areas may be public or privately owned; include drainage, utilities, trail corridors, landscape, designated land not to be developed and park land. The PUD area is 11.66 acres in size, which would require a total of 1.17 acres of open space area. The applicant is providing 2.52 acres (21 percent) of designated open space tracts which include: drainage, utilities, associated easements, trails, parkland, and landscaping. It should be noted that the applicants are providing 0.79-acres of usable open space (designated park site) within the development which exceeds the 25 percent (0.29-acres) of overall usable open space required.

Pursuant to the availability of central water and sanitation services in the area, this portion of El Paso County has experienced, and continues to experience, significant growth and development along the Briargate Parkway/Stapleton Corridor, Marksheffel Road, and Vollmer Road, corridors. The land uses allowed within the proposed PUD zoning district are compatible with the existing and approved urban level residential development surrounding the subject property.

The proposed PUD and Preliminary Plan are consistent with the Your El Paso County Master Plan (2021). The PUD application meets the purpose of zoning and criteria of approval, in Chapter 4, and of the El Paso County Land Development Code (as amended). The Preliminary Plan application meets the Preliminary Plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (as amended).

The property is located within the CAD-O (Commercial Airport Overlay District) zoning overlay, but not within the Accident Potential Zone (APZ) airport subzone. Single-family residential is an allowable land use within the CAD-O. The CAD-O was adopted by the Board of County Commissioners pursuant to C.R.S §30-28-113 et seq. and 41-4-101 et seq. The purpose of the CAD-O overlay district is to ensure compliance with the Federal Aviation Administration; to ensure free and unobstructed passage of all aircraft through and over airspace, and to acknowledge that private property owners have a property interest in usable airspace above the surface of their property.

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A referral was sent to the Colorado Springs Airport Advisory Commission (CSAAC) for review and comment. The CSAAC provided a response indicating that they have no concerns.

Section 4.3.1 CAD-O, Commercial Airport Overlay District, of the Land Development Code requires an Airport Activity Notice and Disclosure to be recorded against the title of the property at the time of the Final Plat but does not require provision of an aviation easement. More specifically, Section 4.3.1 of the Code states:

The following are required prior to approval of any rezoning or subdivision plat:

- *The request shall be referred to the Airport Advisory Commission for review and comment.*
- *Airport Activity Notice and Disclosure shall be required to be recorded against the title of the property as a condition of approval.*

The applicant will be required to comply with the above referenced section of the Code at the Final Plat stage of development.

2. Zoning Compliance

The Sterling Ranch Filing No. 5 PUD Development Plan identifies allowed accessory uses and permitted uses; use, density, and dimensional standards such as setbacks, maximum lot coverage, and maximum building height; and overall landscaping requirements. The PUD Development Plan and Preliminary Plan are consistent with the proposed PUD development guidelines and with the submittal and processing requirements of the Land Development Code.

F. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

The subject property is depicted as being within the Suburban Residential Placetype in the 2021 Master Plan. An analysis of the Suburban Residential Placetype is provided.

a. Placetype Character: Suburban Residential

Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports

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accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.

Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.

Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.

Recommended Land Uses:

Primary

- *Single-Family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre*

Supporting

- *Single-family Attached*
- *Multifamily Residential*
- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*

Analysis: The Suburban Residential Placetype comprises the County's traditional residential neighborhoods with supporting commercial uses at key intersections. The application is consistent with the land use and densities set forth in the approved Sketch Plan, entirely within the Suburban Residential Placetype, which depicts a density range of 5-8 dwelling units per acre in the subject area. The applicant is proposing a density of 6.17 dwelling units per acre which is consistent with the placetype. The applicant is proposing single-family detached homes on urban lots (3,000 Square Feet), with a maximum lot coverage of 65 percent for detached homes, and 75% for attached homes. These lots are designed around a centralized park with connecting sidewalks, which is proposed to maximize the lot area in an effort to reduce the home costs and provide a variety of development in the context of the overall Sterling Ranch development. Relevant goals and objectives are as follows:

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Goal 1.3 – Encourage a range of development types to support a variety of land uses.

Goal 2.1 – Promote development of a mix of housing types in identified areas.

Goal LU3 – Encourage a range of development types to support a variety of land uses.

Objective LU3-1 – Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.

Objective HC4-1 – Denser housing development should occur in Suburban Residential, Urban Residential, Rural Center, and Regional Center placetypes.

Objective TM1-4 – Encourage sidewalks and other multimodal facilities in all new development in placetypes, as appropriate, and upgrade existing infrastructure to these types of facilities when maintenance is needed.

b. Area of Change Designation: New Development

The subject parcel is within an area of New Development: These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.

Analysis: The entire Sterling Ranch development, which includes the proposed PUD Development Plan and Preliminary Plan is located in an area which is expected to completely or significantly change in character. The applicant proposes to develop the subject property with single-family detached residential homes, which are consistent with the planned development surrounding the site. A relevant priority is as follows:

Goal LU3 Specific Strategy Priority - "The New Development areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area should be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood."

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c. Key Area Influences: Potential Areas for Annexation

The subject property is located within the Potential Areas for Annexation. The key area map demonstrates the anticipated urban growth areas in unincorporated El Paso County. The property is not contiguous to the City boundary. The applicant does not wish to annex into the City at this time.

d. Other Implications (Priority Development, Housing, etc.) The subject property is located within a High Priority Development Area, Falcon Area.

The Falcon community has developed its own unique character and functions like a small municipality. New Suburban Residential development would not only match the existing development pattern in Colorado Springs and Falcon to the east and west but also act as a density buffer between more urban development to the south and large-lot to the north. The proposed rezone is also consistent with the High Priority Areas, and the guidelines below:

- Residential development near the municipal boundaries adjacent to this area may include single-family attached and multi-family units.*
- The County should emphasize Stapleton Road, Woodmen Road and Vollmer Road as connectivity corridors that would provide important access to necessary goods and services in surrounding communities, generally supporting suburban residential development.*

The subject area is anticipated to continue to have significant growth due to the establishment of central water and sanitation services. As residential development occurs, commercial areas are anticipated to develop in these areas to provide local services to the residents in the area. A District No. 20 school site is proposed east of the subject property which is anticipated to provide education and recreation opportunities to the area. The proposed PUD Development Plan and Preliminary Plan requests are consistent with the developed area, and with the goals and policies of the Master Plan.

2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes: better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management

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through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – *Ensure an adequate water supply in terms of quantity, dependability, and quality for existing and future development.*

Goal 1.2 – *Integrate water and land use planning.*

Goal 3.1 – *Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*

Policy 4.1.4 – *Work collaboratively with water providers, stormwater management agencies, federal agencies, and State agencies to ensure drinking water sources are protected from contamination and meet or exceed established standards.*

Policy 6.0.11 – *Continue to limit urban level development to those areas served by centralized utilities.*

Policy 6.0.1 – *Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.*

Policy 6.4.1.3 – *Support efforts by water providers to obtain renewable water supplies through collaborative efforts and regionalization.*

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Region 3, Falcon Area, which is expected to experience significant growth by 2040. Specifically, the Plan states:

Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road.

The Water Master Plan identifies a current water demand of 4,494-acre feet (AF) and a current supply of 7,164 AF for this Region, resulting in a surplus of water

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(decreed water rights) of 2,670 AF. The area included within the request is projected in the Water Master Plan as likely to reach build out by year 2040. For year 2040, the Plan projects a water demand of 6,403 AF for Region 3 versus a projected supply of 7,921 AF, resulting in a reduced surplus of 1,581 AF. When considering additional development in Region 3, it is important to note that the Plan ultimately projects a water supply deficit for the Region of 1,143 AF by 2060.

Falcon Area Water and Wastewater Authority (FAWWA) has provided a commitment to serve the development and is mitigating the predicted water deficit by constructing water infrastructure from the northern area (Bar X Ranch, Winsome, and Shamrock West Ranches) of the County to the Falcon area, to provide centralized services to the development, and by investing additional water resources.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. El Paso County Community Services Department, Environmental Services Division, and Colorado Parks and Wildlife (CPW) were each sent referrals and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) does not identify valued deposits in the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

The Community Services Department Parks Division has provided comment which includes an analysis regarding conformance with The El Paso County Parks Master Plan (2022). The Community Services Department Parks Division has requested fees in lieu of land dedication in the following comment response:

The Park Advisory Board recommends that the Planning Commission and the Board of County Commissioners include the following conditions when considering and/or approving the Sterling Ranch Filing No. 5 PUD Development Plan and Preliminary Plan: (1) require fees in lieu of land dedication for regional park purposes in the total amount of \$36,360 and urban park purposes in the total amount of \$21,816 due at time of the recording of the forthcoming Final Plat. A Park Lands Agreement may be an

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acceptable alternative to urban park fees provided the agreement is approved by the County and executed prior to recording the forthcoming Final Plat.

Please see the Transportation Section below for information regarding conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards which would preclude development in the development area were identified in the Soil, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc., dated December 1, 2023, if mitigation, such as grading in addition to limiting basements were to occur. The applicants have agreed that no basements will be allowed within the development area due to “potentially shallow groundwater”.

The following geologic constraints identified below were encountered on Sterling Ranch Filing 5. Mitigation measures and a map of the hazard area can be found in the Soil, Geology, and Geologic Hazard Study by Entech Engineering inc. on December 1, 2023, available at the El Paso County Planning and Community Development Department:

- Potentially Seasoned Shallow Groundwater: (Lots 7-9 and 13-17). The mitigation for the shallow groundwater is that no livable basements are proposed in Sterling Ranch Filing 5.
- Expansive soils and shallow bedrock.
- Unstable soils may be encountered where excavations approach the groundwater level.

These items can be mitigated through proper design and construction or through avoidance. Investigation on each lot is recommended prior to construction.

2. Floodplain

FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0533G, dated December 7, 2018, indicates no portion of the subject property is located within a FEMA floodplain.

3. Drainage and Erosion

The proposed subdivision is located within the Sand Creek drainage basin, which was studied in 1996. This basin requires drainage and bridge fees to be paid at the time of Final Plat recording.

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The site generally drains overland from northeast to southwest, with runoff eventually flowing to Sand Creek, which ultimately outfalls into Fountain Creek. Offsite flows entering the site consist of the emergency overflow from the existing Barbarick full-spectrum detention pond. Emergency overflow from the existing pond will be diverted along the western boundary of Sterling Ranch Filing No. in a proposed swale and then intercepted by the existing storm sewer system which ultimately releases into Sand Creek.

A Preliminary Drainage Report (PDR) was provided with the requested application. The PDR analysis and design indicate that the proposed development will not release developed runoff above historic rates. The PDR concludes that “development of the proposed site does not significantly impact any downstream facility or property to an extent greater than that which currently exists in the pre-development conditions.” Runoff from the site will be conveyed to existing Pond W-5, a subregional Full Spectrum Detention, located along the south boundary line of the overall Sterling Ranch project site.

4. Transportation

The Sterling Ranch Filing No. 5 PUD/ Preliminary Plan area is east of Vollmer Road and north of the future extension of Marksheffel Road, currently under construction in El Paso County. Access to the development will be from Dines Boulevard and Hazlett Drive. Dines Boulevard and Hazlett Drive both have direct access to Sterling Ranch Road, a non-residential collector, through full access intersections. Dines Boulevard also has access to Vollmer Road, a urban minor arterial, further to the north.

A traffic memorandum (TIS) dated August 17, 2023, was provided with the requested application addressing traffic impacts of the subject development. Auxiliary lanes at the intersections of Marksheffel Road and Vollmer Road, Sterling Ranch Road and Marksheffel Road, Sterling Ranch Road and Hazlett Drive, Sterling Ranch Road and Dines Boulevard, and Dines Boulevard and Manor House Drive are required with this development if they have not been completed as part of the Sterling Ranch Filing No. 2 development. The updated Master Traffic Impact Study for Sterling Ranch submitted with the Sterling Ranch Sketch Plan Amendment (SKP-22-004) was approved in early 2023.



Traffic generated from the 72 proposed dwelling units in this development is estimated to be approximately 596 average daily trips. The proposed interior roads will be public paved roads dedicated to the County for ownership and maintenance. The proposed roads and traffic depicted in the TIS and the PUD/Preliminary Plan are in conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP), and the existing roads serving the proposed development will be adequate with the improvements noted in the TIS.

Approximately 2,300 linear feet of Urban Local public roads are proposed to be constructed with this subdivision.

This development is subject to the El Paso County Road Impact Fee Program (Resolution 19-471, as amended) at the time of Final Plat recording.

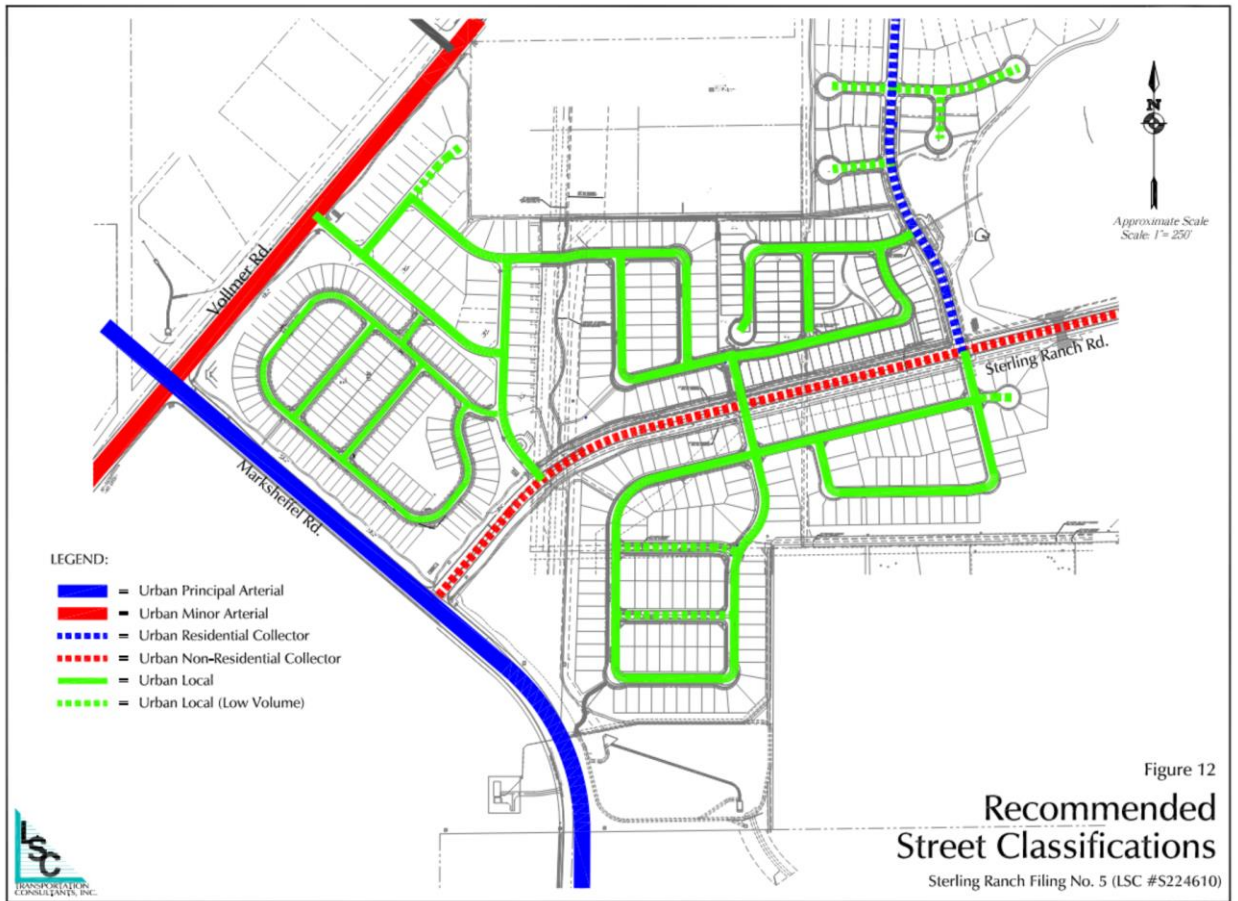


Figure G.1: Roadway Classifications from TIS

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 PLNWEB@ELPASOCO.COM

H. SERVICES

1. Water

Falcon Area Water and Wastewater Authority (FAWWA) provides water service and has committed to serve the development via an intergovernmental agreement with the Sterling Ranch Metropolitan District.

Water Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The State Engineer's Office has made a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office has made a favorable recommendation of a finding of sufficiency with regard to water quantity and dependability. El Paso County Public Health has made a favorable recommendation regarding water quality.

2. Sanitation

Falcon Area Water and Wastewater Authority (FAWWA) provides water service and has committed to serve the development via an intergovernmental agreement with the Sterling Ranch Metropolitan District.

3. Emergency Services

The property is within the Black Forest Fire Protection District. The District was sent a referral and has no outstanding comments. The applicants have provided a commitment to serve from the District.

4. Utilities

Electrical service is provided by Mountain View Electric Association (MVEA). Colorado Springs Utilities will provide Natural Gas. The agencies were sent a referral and have no outstanding comments.

5. Schools

The site is within the boundaries of the Academy School District No. 20. School dedication for the benefit of Academy School District No. 20 is anticipated, pursuant to an approved school Land Development Agreement, within the Sterling Ranch Development Area in lieu of fees paid at Final Plat recordation to District No. 20.

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I. APPLICABLE RESOLUTIONS

See attached draft resolution.

J. STATUS OF MAJOR ISSUES

No major issues remain.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Board of County Commissioners find that the PUD Development Plan and Preliminary Plan requests meet the criteria for approval outlined in Section 4.2.6 (PUD) and Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended) staff recommends the following conditions and notations:

CONDITIONS

1. Development of the property shall be in accordance with this PUD Development Plan. Minor changes in the PUD Development Plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require the submittal of a formal PUD Development Plan amendment application.
2. Approved land uses are those defined in the PUD Development Plan and development guide.
3. All owners of record must sign the PUD Development Plan.
4. The PUD Development Plan and Development Guide shall be recorded in the office of the El Paso County Clerk & Recorder prior to any Final Plat approvals.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide

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Transportation Improvement Fee Resolution (Resolution 19-471, as amended), at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, as provided by the County Attorney's Office.
8. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of Final Plat(s) recordation.

NOTATIONS

1. Subsequent Final Plat filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 26 adjoining property owners on January 16, 2024, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
PUD/Preliminary Plan Drawing
CSAAC Comment
State Engineer's Letter
County Attorney's Letter
Draft PC PUD/Preliminary Plan Resolution

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EL PASO COUNTY
PARCEL INFORMATION

FILE NO.:
PUDSP232

PARCEL NOS.:
5233302049

OWNER NAME:
CLASSIC SRJ LAND LLC

ADDRESS:
UNADDRESSED. SEE
VICINITY MAP (LEFT).

Please report any parcel discrepancies to:
El Paso County Assessor
1675 W. Garden of the Gods Rd.
Colorado Springs, CO 80907
(719) 520-6600



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STERLING RANCH FILING 5 REZONE AND PUD PRELIMINARY PLAN

LETTER OF INTENT

AUGUST 2023, UPDATED JANUARY 2023

OWNER:

CLASSIC SRJ LAND, LLC
2138 FLYING HORSE CLUB DR.
COLORADO SPRINGS, CO 80921

APPLICANT:

CLASSIC SRJ LAND, LLC
2138 FLYING HORSE CLUB DR.
COLORADO SPRINGS, CO 80921

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
719.471.0073
ABARLOW@NESCOLORADO.COM

SITE DETAILS:

TSN: 523302049

ADDRESS: DINES BLVD.

ACREAGE: 11.66 AC

CURRENT ZONING: RR-5

PROPOSED ZONING: PUD

CURRENT USE: VACANT

REQUEST

N.E.S. Inc. on behalf of Classic SRJ Land, LLC. requests approval of the following applications:

1. A rezone from RR-5 (Residential Rural) to PUD (Planned Unit Development)
2. A PUD Preliminary Plan for Sterling Ranch Filing 5; a 72-lot single family attached and detached development.
3. A Finding of water sufficiency for quantity, quality, and dependability with the Preliminary Plan and subsequent Final Plat to be approved administratively.

LOCATION

Sterling Ranch Filing 5 is 11.66 acres is located in the northwest corner of Sterling Ranch Road and Dines Boulevard. The property is currently vacant, undeveloped land.



PROJECT DESCRIPTION

The site is currently zoned RR-5 and is proposed to be rezoned as PUD. The development proposes, 72 single family detached and attached on 11AC for a gross density of 6.17DU/AC. This density is within the 5-8DU/AC range shown on the approved Sketch Plan. Medium density residential at this location will serve to transition the industrial areas, zoned I-3, to the northwest, and the adjacent Dines Boulevard and Sterling Ranch Road, to the lower density 3-5 DU/AC single family detached residential to the west, south, east and northeast.

The project proposes a 5-foot side, 20-foot front and 15-foot rear setbacks provided on all lots. A 0' side setback is proposed on all lots with attached units. The minimum lot size for the entire development is 30,66SF. Maximum lot coverage for the single-family detached lots will be 65%, and 75% for the single-family attached lots.

2.52AC of open spaces is provided in five tracts with walking paths connecting throughout the development and to the Sterling Ranch Parks and Trails system. All landscape entry features, open space tracts, parks and trails will be owned and maintained by the Sterling Ranch Metro District.

COMPATIBILITY/TRANSITIONS: This site is located in the northwest corner of Sterling Ranch Road and Dines Boulevard. The site is predominantly surrounded by detached single family residential to the west, south and north east. I-3 zoning sits to the northwest of the site. Sterling Ranch Filing 4, a detached single-family development zoned RS-5000 is located to the west and southwest. Sterling Ranch Filing 3, a detached single-family development, is immediately south and zoned RS-5000. A 15' landscape buffer is proposed between the I-3 zone to the northwest and the proposed single-family development. This buffer is intended to buffer the I-3 uses from the proposed residential uses within Sterling Ranch Filing 5. There is a 6' vinyl fence around the adjacent industrial area, and there is a pond in Tract A both of which provide additional buffering from the industrial area. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

This development is positioned immediately west of Dines Boulevard, the Sand Creek Channel and Sand Creek Regional Trail. Pedestrian connectivity is provided throughout the development with connections provided to the Sterling Ranch, community park to the east and community open space amenities and trails.

Medium density detached and attached single family housing at this location will serve to transition the adjacent industrial area, Sterling Ranch Road and Dines Boulevard, to the lower intensity detached single family uses of Sterling Ranch Filings 3 and 4.

ACCESS AND CIRCULATION: A 3/4-movement access is provided at the intersection of Sterling Ranch Road and Dines Boulevard. Two public local roads with a 50'-0" ROW provide circulation throughout the site and access to each lot. Hazlett Drive serves to connect Sterling Ranch Filing 4 and Sterling Ranch Filing 5 to Sterling Ranch Road. Manor House Way connects Sterling Ranch Filing 5 to Dines Boulevard. Pedestrian circulation is provided throughout the development. Attached sidewalk are provided along all urban local roads and mid-block pedestrian crossing position as needed. A looped 5' concrete walk provides pedestrian connectivity through Tract B, a centralized 34,327SF community open space

amenity. Pedestrian connections are provided from Sterling Ranch Filing 5 to the Sterling Ranch Park and Trails through improvements provided at Dines Boulevard and Sterling Ranch Road.

TRAFFIC: A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for the entire Sterling Ranch Development in March 2023. An updated Traffic Memo has been prepared in support of Sterling Ranch Filing 5, which incorporates subsequent analysis related to traffic estimates generated by all traffic studies within Sterling Ranch and in the vicinity of the area of study within the past five years. A list of area traffic studies is shown in Appendix Table 1 of the Traffic Impact Study. Appendix table 2 of the TIS includes a list of improvements needed either prior to or with Sterling Ranch Filing 5. These recommendations are consistent with the LSC Sketch Plan TIS report. Axillary lane improvements required with Sterling Ranch Filing 5, if not completed with Sterling Ranch Filing No. 2, include:

- Marksheffel/Vollmer
- Sterling Ranch/Marksheffel
- Sterling Ranch/Hazlett
- Sterling Ranch/Dines
- Dines/Manor House

WATER: This development will be served by FAWWA, which is the overall service entity for Sterling Ranch and other adjacent properties. Sterling Ranch Filing 5 PUD and Preliminary Plan includes 72 lots which fall into high-density development ratios for small lots, and roughly 0.93AC of irrigated landscaping. The resulting water demand is 24.26 acre-feet.

This leaves a net excess of currently available water of 1028.4AF over 300 years and therefore there is more than sufficient water supply to meet the needs of Sterling Ranch Filing 5 PUD and Preliminary Plan on the 300-year basis.

A finding of sufficiency for water quantity, quality and dependability is requested with this application.

WASTEWATER: The wastewater commitment is for 12,384 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. The projected loading represents roughly 1.265% of the contractual capacity available to the Falcon Area Water and Wastewater Authority (FAWWA). FAWWA therefore has more than adequate wastewater treatment capacity to provide service to Sterling Ranch Filing 5. Including all subdivisions submitted before March 31, 2023, the current committed capacity is for 2722 SFE which is 46.538% of FAWWA contractual treatment capacity. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro.

NOISE: Section 8.4.2(B)(2)(b)(ii) of the Land Development Code states that noise mitigation shall be required for single-family and duplex residential subdivisions, which contain lots that will be individually owned, and are located adjacent to expressways, principal arterials or railroads. Mitigation shall reduce the existing or projected exterior noise levels to 67 dBA Leq. A noise study to determine the area of potential impact is required where a subdivision includes or borders an expressway, principal arterial or railroad.

Sterling Ranch Road does not require noise mitigation as it is classified as a collector. Dines is classified as a rural local and does not require noise mitigation. A 6' concrete slat wall is proposed along Sterling Ranch Road and Dine Boulevard for aesthetic purposes.

A 15' landscape buffer is proposed between the I-3 zone to the northwest and the proposed single-family development. This buffer is intended to buffer the I-3 uses from the proposed residential uses within Sterling Ranch Filing 5. There is a 6' vinyl fence around the adjacent industrial area, and there is a pond in Tract A both of which provide additional buffering from the industrial area. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

WILDLIFE: No critical habitat or sensitive species have been identified on site. As development occurs within Sterling Ranch, care will be taken to minimize human and wildlife conflicts within reasonable limits.

FLOODPLAIN: This site is not within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041C0533G, effective 12.07.2018.

GEOLOGIC HAZARDS: The Soils, Geology and Geologic Hazard Study prepared by Entech Engineers, determined the site to be suitable for the proposed development and achievable by avoidance or proper mitigation through standard construction methods. Geologic hazards encountered at the site include, artificial fill, expansive soils, subsidence area, slope stability and landslide hazard, debris fans, groundwater and floodplain areas, potentially seasonal shallow groundwater, faults, dipping bedrock, shallow bedrock, and radio activity. In areas where shallow groundwater has been detected (Lots 7-9 and 13-17), CGS recommends that groundwater monitoring/observation be conducted to verify floor levels are a least 3' above maximum anticipated groundwater levels and determine feasibility of basements and if perimeter drains will be required if basements are proposed. Livable basements will not be permitted in Sterling Ranch Filing 5, only crawl space is allowed, which addresses CGS's concerns regarding shallow groundwater.

A map of the hazard areas and proposed mitigation measures can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc included in this submittal.

WILDFIRE: The primary wildland fuel type is grassland with scattered trees. The Colorado State Forest Service has determined a moderate to low moderate fire risk.

SCHOOLS: The project site for Sterling Ranch Filing 5 was platted as Tract B of Branding Iron Filing 2 as a future school site. Through discussions with Classic and D20, both parties have agreed for this parcel to be conveyed to Classic and for both school sites to be developed within Sterling Ranch East Phase 1 Preliminary Plan Filings 1-4.

The approved Sterling Ranch Sketch Plan identifies an 11.8AC site and one 38AC site as land dedications for D20. The 11.8AC site is located east of Sand Creek and shown as a future elementary school site. The 38AC site is shown as a future K-8 school site and is located in the southwest corner of Briargate Parkway and Sterling Ranch Road. Both school sites are shown on the recently approved Sterling Ranch East Phase 1 Preliminary Plan Filings 1-4.

TRAILS AND OPEN SPACE: 2.52AC of open space is provided with this development. Pedestrian connections are provided to all of the tracts through a series of looped 5FT concrete walkways. This development exceeds the 10% open space requirement by providing 109,527SF of recreational open space. It also exceeds the requirement for 25% contiguous open space (12,698SF) by providing 34,327SF or 67% contiguous open space in Tract B. Open spaces surround the perimeter of the development with Tract B, 34,327SF, providing a centralized community park for residents. 5FT concrete pedestrian walks, with safe pedestrian connections, provide connectivity throughout the park, to the adjacent Sand Creek Trail, 29AC Sterling Ranch Community Park to the east and connection to the Sterling Ranch Parks and trails network.

The Sterling Ranch master planned community includes an interconnected system of trails, open spaces and neighborhood parks to allow for a recreation-oriented community. Sterling Ranch Filing 5 will be connected to this system through pedestrian connections provided at Sterling Ranch Road and Dines Boulevard. All parks and trails will be maintained by Sterling Ranch Metro District.

DRAINAGE: Proposed Sterling Ranch Filing No. 5 drainage improvements were designed to meet or exceed the El Paso County Drainage Criteria. The proposed development will not adversely affect the offsite drainage-ways or surrounding development. The existing pond W-5 is to release at equal to or less than historic runoff. The site is consistent with the Sterling Ranch Filing No. 2 Drainage Report.

UTILITIES: Falcon Area Water and Wastewater Authority (FAWWA) will provide water and wastewater services for this development. A commitment letter has been included with the submittal.

Mountain View Electric Association, Inc. will supply electricity service and Colorado Springs Utilities will supply natural gas. The utility commitment letters are submitted with this application.

Parks, open space and trails will be owned and maintained by Sterling Ranch Metro District.

DISTRICTS/ENTITIES SERVING THE PROPERTY:

The following districts will serve the property:

- Academy School District 20
- Mountain View Electric Association
- City of Colorado Springs Utilities Department – Gas
- Sterling Ranch Metro District
- Black Forest Fire Protection District
- FAWWA- Water and Wastewater

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

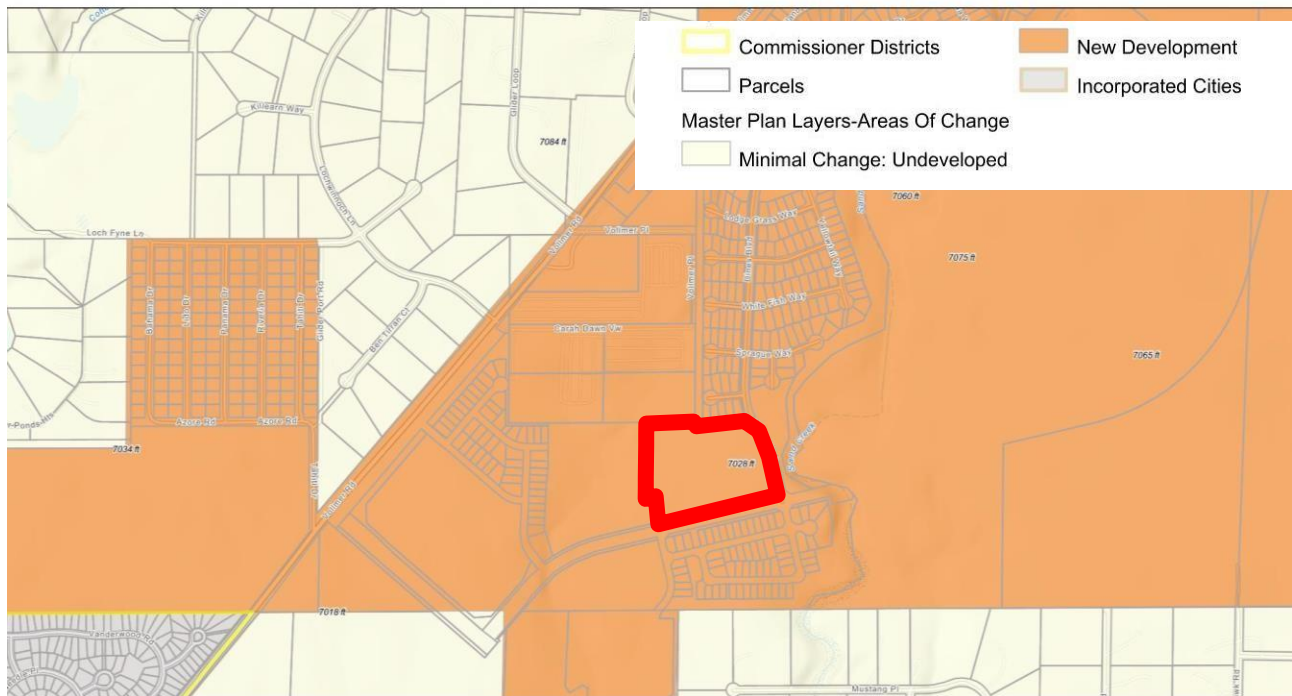
The relevant County Plans for Sterling Ranch are the Your El Paso Master Plan, the Water Master Plan, the 2040 Major Transportation Corridor Plan, and the Parks Master Plan. A detailed analysis of the relationship of the Sterling Ranch Sketch Plan and the goals and objectives of these plans was previously provided with the Sketch Plan. These include the provision of adequate buffers and transitions from lower, rural density residential development, the provision of adequate urban services by Sterling Ranch Metropolitan District, an interconnected system of trails, open spaces and neighborhood parks, and the preservation of open space.

YOUR EL PASO MASTER PLAN

The new County Master Plan denotes the site as a Suburban Residential Placetype, which consists of predominantly Single-Family homes with supporting, Single-Family Attached, Multi-Family, Neighborhood Commercial, and Parks. Sterling Ranch Filing 5 proposes 72 single family detached and attached residential units, which aligns with this placetype. This plan also supports the curvilinear pattern of streets that characterizes the suburban residential placetype.

This area is located within a Priority Development Area and is denoted as a “New Development Area” on the Areas of Change map. New Development Areas take place on land largely undeveloped, adjacent to built out areas. These areas are to be designed to integrate with and compliment adjacent development. Sterling Ranch Filing 5 is presently an undeveloped portion of the County that is adjacent to a built-out area and will be developed to match the character of that adjacent development.

Sterling Ranch Filing 5 Areas of Change



The PUD Preliminary Plan is also consistent with Core Principle 1, Land Use and Development, which seeks to “manage growth to ensure a variety of compatible land uses that preserve all character areas of the county,” in addition to goal 1.1, “Ensure compatibility with established character and infrastructure capacity” and goal 1.3, “Encourage a range of development types to support a variety of land uses.” Sterling Ranch Filing 5 supports a diversity of single-family housing choices in the localized area while preserving single family characteristics of the nearby developments such as Single Ranch Filing No. 3 and Sterling Ranch Filing No. 4. The proposed layout provides over 21% open space, connection to Sterling Ranch Parks and Trails and diversity in housing choices.

Sterling Ranch Filing 5 is also consistent with Core Principle 2, Housing & Communities, which seeks to “Preserve and develop neighborhoods with a mix of housing types”, as well as Goal 2.1 to “Promote development of a mix of housing types in identified areas.” This PUD Preliminary plan proposes a mix of smaller detached and attached single family residential product type that is complimentary to the proposed single family residential uses within Sterling Ranch. The character of this development is similar to the immediately adjacent Sterling Ranch Filings 3 and 4 and with its higher density will provide a transition from the I-3 to the northwest, Sterling Ranch Road and Dines Boulevard.

Transportation & Mobility core principals and goal 4.2, “Promote walkability and bikability where multimodal transportation systems are feasible” and Community Facilities & Infrastructure and goal 5.1, “Coordinate with agencies to provide high-quality community facilities, services and infrastructure to enhance quality of life,” are supported by Sterling Ranch Filing 5. This development is connected to the Sterling Ranch Parks and Trails which includes a comprehensive off-street pedestrian circulation system to supplement the standard sidewalks along streets and a system of Open spaces, Trails and Parks. Pedestrian connections are provided throughout the development with a looped walk connecting all open space tracts and providing connections to parks and trails within Sterling Ranch.

Pedestrian connections at Sterling Ranch Road and Dines Boulevard will provide connections to the comprehensive Sterling Ranch Parks and Trails system.

WATER MASTER PLAN

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.

Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.

The project is located within Region 3, Falcon Area, and is within one of the four growth areas projected to be completed by 2040. Sterling Ranch Filing 5 will be centrally serviced by FAWWA which will become the overall service entity. It is expected that an urban residential home in Sterling Ranch will require an average of 0.353 annual acre- feet. This is consistent with the historic needs of nearby developments. Sterling Ranch Filing 5 PUD Preliminary Plan includes 72 lots which fall into high-density development ratios for small lots, and roughly 0.93AC of irrigated landscaping. The resulting water

demand is 24.26 acre-feet.

FAWWA-owned and currently available on-site non-tributary (NT) and adjudicated not non-tributary (NNT) water totals are 1930.16 AF for 300 years, which would be adequate supply to meet the needs of 5,468 SFE. This leaves a net excess of currently available water of 1029.4 AF for 300 year and therefore there is more than sufficient water supply to meet the needs of Sterling Ranch Filing 5.

2040 MAJOR TRANSPORTATION CORRIDOR PLAN

The 2040 Improvements map identified the most proximate roadway improvement to the site is the county road capacity improvements to Vollmer Rd between Marksheffel Rd and Stapleton Drive. There will be rural county road upgrades to Vollmer Rd north of the site. The extension of Briargate Parkway will add a new roadway connection just north of the site. The 2060 corridor preservation plan depicts that Briargate Pkwy will become a principal arterial. Vollmer Road is expected to be a minor collector by 2040.

EL PASO COUNTY PARKS MASTER PLAN

No regional county parks are planned to be within the immediate area. The Sand Creek Regional Trail proposed on the west side of Sand Creek is the major north-south trail connection through the Sterling Ranch development. This regional trail provides connectivity to parks and trails throughout the community, pedestrian connections at Sterling Ranch Road and Dines Boulevard will connect Sterling Ranch Filing 5 to the Sand Creek Regional Trail and 29AC Community Park to the east.

PROJECT JUSTIFICATION

Chapter 4.2.6.D of the LDC allows the combination of a preliminary plan with a PUD development plan, provided all review and approval standards for both the PUD development plan and preliminary plan are met. The PUD/Preliminary Plan for Sterling Ranch Filing 5 is consistent with the PUD zoning and preliminary plan approval criteria set forth in Chapter 4.2.6.D & 4.2.6.E of the LDC as follows:

1. The proposed PUD District zoning advances the stated purposes set forth in this Section;

Sterling Ranch Filing 5 PUD will advance the following purposes of the PUD District designation:

- *To permit adjustment to changing public and private needs and to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs;*
- *To improve the design, character and quality of new development with flexibility by varying lot size, building heights, setback controls and other site development requirements;*
- *To encourage innovations in residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings including mixed use and traditional neighborhood design and by the conservation and more efficient use of open space ancillary to said*

buildings;

- *To provide housing of all types and designs to be located in proximity to employment and activity centers such as shopping, recreational, and community centers, healthcare facilities, and public transit;*

Sterling Ranch Filing 5 is responding to the need for more diversified housing products in the area. The flexibility of the PUD allows for the creation of improved design, character and quality of new development. The provision of detached and attached single family homes on small lots is reflective of growing demands for smaller homes that are more affordable and have less maintenance. Housing within this area will provide support to several employment and shopping centers that are in close proximity to the site, as well as churches and schools that provide community facilities.

2. The application is in general conformity with the Master Plan;

The relevant County Plans for Sterling Ranch Filing 5 are the Your El Paso County Master Plan, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. Sterling Ranch Filing 5 is in general conformity with these plans as described above.

3. The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;

The stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County. The proposed subdivision of attached and detached single family residential lots is consistent with the County Master Plan. The higher density residential provides a more gradual transition from the I-3 uses to the northwest and the intersection of Sterling Ranch Road and Dines Boulevard to the lower density detached single-family housing within Sterling Ranch Filing 3 and 4 to the west and south.

4. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area;

The proposed medium residential at the corner of Sterling Ranch Road and Dines Boulevard provides an appropriate transition from the industrial uses to northwest to the lower density single family residential south and southeast of the development. The proposed density of 6.17DU/AC is consistent with the approved Sterling Ranch Sketch Plan Designation of 5-8DU/AC.

A 15' landscape buffer is proposed between the I-3 zone to the northwest and the proposed single-family development. This buffer is intended to buffer the I-3 uses from the proposed residential uses within Sterling Ranch Filing 5. There is a 6' vinyl fence around the adjacent industrial area, and there is a pond in Tract A both of which provide additional buffering from the industrial area. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

- 5. The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;**

A detention pond in Tract A and a 15' landscape buffer is provided along the I-3 zoning north of Filing 5. The detention pond provides additional separation and transition from I-3 to single family residential. Further, there is an existing vinyl fence around the adjacent I-3 property to further mitigate impacts of the industrial development. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

- 6. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;**

A 6' concrete slat wall is provided along Sterling Ranch Road to provide a consistent character within the Sterling Ranch Community. Open spaces and lot layouts within Sterling Ranch Filing 5 are similar to higher densities within Sterling Ranch. A detention pond in Tract A and a 15' landscape buffer is provided along the I-3 zoning north of Filing 5. The detention pond provides additional separation and transition from I-3 to single family residential. Further, there is an existing vinyl fence around the adjacent I-3 property to further mitigate impacts of the industrial development. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

- 7. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;**

There are no unique or significant historical, cultural, recreational, aesthetic or natural features to be preserved.

- 8. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide a reasonable walking and biking opportunities;**

Sterling Ranch Filing 5 proposes 2.52AC of open space which equates to 21% of the 11.66AC site. Tract B, 34,327SF provides centralized open space within the development and exceeds the 25% contiguous open space requirement. Open spaces are connected with safe pedestrian connections which connect to the Sterling Ranch Parks and Trails amenities. A pedestrian connection is provided at Sterling Ranch Road and Dines Boulevard, providing connection to the Sand Creek Regional Trail and 29AC Community Park.

- 9. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;**

The Traffic Impact Memo demonstrates that the development will not materially impact existing levels of service on surrounding roads.

Appendix table 2 of the TIS includes a list of improvements needed either prior to or with Sterling Ranch Filing 5. These recommendations are consistent with the LSC Sketch Plan MTIS report. All required utilities are available to the development and the required will serve letters are provided. The proposed project will not negatively impact the levels of service of County services and facilities.

10. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;

The project proposes interconnected sidewalks throughout the project that connect the open space tracts and provide a connection to the Sand Creek Regional Trail and proposed 29 AC Sterling Ranch Community Park to the east of Sand Creek. There are no environmental features within the project site.

11. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;

There are no mineral rights owners on this property.

12. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and

There are no proposed exceptions or deviations from the zoning or subdivision regulations.

13. The owner has authorized the application.

Yes.

PUD Preliminary Plan

The Preliminary Plan is consistent with the approval criteria in Section 7.2.1.D.2.e of the LDC as follows:

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;

See above analysis.

2. The subdivision is consistent with the purposes of this Code;

See above analysis. The proposed development complies with the requirements of the LDC and will not be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County. The project offers additional housing diversity in a developing area. The site provides a transition from the proposed commercial and intersection to the proposed lower density residential to the north and east.

3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;

See above analysis. The medium density residential uses at the corner of Sterling Ranch Road and Dines Boulevard are appropriate at this location and provide a transition to the lower density single family uses within Sterling Ranch Filings 3 and 4. The proposed density is consistent with the Sterling Ranch Sketch Plan approved in 2022. The project is in conformance with the County's subdivision design standards.

4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;

A sufficient water supply is available as demonstrated by the water supply commitment letter provided by FAWWA and the Water Resources Report provided by JDS Hydro.

A finding of water sufficiency for quantity, quality and dependability is requested with this PUD Preliminary Plan and for the subsequent Final Plat to be approved administratively.

5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code.

The wastewater commitment is for 12,384 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. The loading projected from Sterling Ranch Filing 5 represents roughly 1.265% of the contractual capacity available to the Falcon Area Water and Wastewater Authority (FAWWA). Including all subdivisions submitted before March 31 of 2023, the current committed capacity is for 2,722 SFE which is 46.538% of FAWWA contractual treatment capacity. FAWWA therefore has more than adequate wastewater treatment capacity to provide service to Sterling Ranch Filing 5. Public sewage disposal is further addressed in the Wastewater Report prepared by JDS Hydro.

6. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];

The site was found to be suitable for development, although some areas are impacted by geologic conditions. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading, or through proper engineering design and construction methods.

The primary constraint is the potentially seasonal shallow groundwater detected under Lots 7-9 and 13-17. The mitigation for the shallow groundwater is that no livable basements are proposed in Sterling Ranch Filing 5; only crawl space is permitted. Further groundwater monitoring/observation will be conducted during construction on a block-by-block basis to verify floor levels are at least 3' above maximum anticipated groundwater levels. Subsurface perimeter drains may be necessary to prevent the intrusion of water into areas below grade. Additional investigation after grading is completed will provide final foundation and subsurface drain recommendations.

A map of the hazard areas and proposed mitigation measures can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc included in this submittal.

7. Adequate drainage improvements complying with State law [C.R.S. §30-28- 133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;

These matters are addressed in the Drainage Report prepared by JR Engineering. Proposed Sterling Ranch Filing No. 5 drainage improvements were designed to meet or exceed the El Paso County Drainage Criteria. The proposed development will not adversely affect the offsite drainage-ways or surrounding development. The existing pond W-5 is to release at equal to or less than historic runoff. The site is consistent with the Sterling Ranch Filing No. 2 Drainage Report.

8. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;

All lots will be accessible by new public streets. 3 lots will be accessed by a private drive with a shared access easement. The private drive will connect to the nearest public street.

9. The proposed subdivision has established an adequate level of compatibility by

a. Incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision;

There are no natural physical features on the site. 21% open space is provided with over 25% of space provided contiguous. This exceeds the 10% PUD open space requirement.

b. Incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost-effective delivery of other services consistent with adopted plans, policies and regulations of the County;

Appropriate provision is made in this regard given the context of the site and surrounding area. Sidewalks are included throughout the project. Safe pedestrian connections provide connection to open spaces within the development and to the Sterling Ranch parks and trails comprehensive system.

c. Incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses;

The site is surrounded by landscape tracts that are part of this project and in Filing 2 along Marksheffel Road and Vollmer Road, as required by the LDC and the Sterling Ranch Sketch Plan.

A detention pond in Tract A and a 15' landscape buffer is provided along the I-3 zoning north of Filing 5. The detention pond provides additional separation and transition from I-3 to single family residential. Further, there is an existing vinyl fence around the adjacent I-3 property to further mitigate impacts of the industrial development. A note has been added to the Cover Sheet informing future home owners of adjacent industrial use.

In the I-3 zone there is a 175' setback required from adjacent residential development.

d. Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and

There are no environmentally sensitive areas on the property.

e. Incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;

A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for the entire Sterling Ranch Development in March 2023. An updated Traffic Memo has been prepared in support of Sterling Ranch Filing 5, which incorporates subsequent analysis related to traffic estimates generated by all traffic studies within Sterling Ranch and in the vicinity of the area of study within the past five years. A list of area traffic studies is shown in Appendix Table 1 of the Traffic Impact Study. Appendix table 2 of the TIS includes a list of improvements needed either prior to or with Sterling Ranch Filing 5. Reports relating to water supply, wastewater treatment and drainage demonstrate that there will be no negative impact on the levels of service of County services and facilities.

10. Necessary services, including police and fire protection, recreation, utilities, open space and transportation systems, are or will be available to serve the proposed subdivision;

Water and sanitary service is provided by the FAWWA. Natural gas is provided by Colorado Springs Utilities and electric is provided by MVEA. Will serve letters have been included with this submittal.

11. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and

The site lies within the Black Forest Fire Protection District. A service commitment letter from the District is included with the submittal. A fire exhibit showing fire hydrant locations and 150' hose lay has been included with this submittal.

12. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

The proposed subdivision meets the applicable sections of these parts of the Code.

STERLING RANCH FILING 5

PUD PRELIMINARY PLAN

A PORTION OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY

GENERAL PROVISIONS

- Authority. This PUD is authorized by Chapter 4 of the El Paso County Land Development Code, adopted pursuant to the Colorado Planned Unit Development Act of 1972, as amended.
- Applicability. The provisions of this PUD shall run with the land. The landowners, their successors, heirs, or assigns shall be bound by this Development Plan, as amended, and approved by the Planning and Community Development Director or Board of County Commissioners.
- Adoption. The adoption of the development plan shall evidence the findings and decisions of the El Paso County Board of County Commissioners that this development plan complies with the requirements of the Colorado Planned Unit Development Act of 1972, as amended.
- Relationship to County Ordinances. The provisions of this Development Plan shall prevail and govern the development of Sterling Ranch Filing 5, provided however that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the El Paso County Land Development Code in effect at the time of the PUD plan approval for owner acknowledgment of the PUD changes with the Code, or any other applicable resolutions or regulations of El Paso County, shall be applicable.
- Enforcement. To enforce the mutual interest of the residents, occupants, and owners of the PUD and of the public in the preservation of the integrity of this development plan, the provisions of this plan relating to the use of land and the location of common open spaces shall run in favor of El Paso County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law.
- Conflict. Where there is more than one provision within the development plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern.
- Maximum Level of Development. The total number of dwellings or the total commercial, business, or industrial intensity shown on the development plan for development within the specified planning areas is the maximum development requested for planning or construction (plus any approved density transfered). The actual number of dwellings or level of development may be less due to subdivision or Site Development Plan requirements, land carrying capacity, or other requirements of the Board of County Commissioners.
- Project Tracking. At the time of any final plat application, the applicant shall provide a summary of the development, to date, to Planning and Community Development, in order to assure maximum development limits are not exceeded.
- Overall Project Standards. The standard zoning requirements of El Paso County Land Development Code, as amended, including off street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PUD, except as modified below.
- Utility Provisions. The following utility providers will serve the at Sterling Ranch Filing 5 PUD Preliminary Plan area:
 - Water: FAWMA
 - Wastewater: FAWMA
 - Gas: Colorado Springs Utilities
 - Electric: Mountain View Electric

DEVELOPMENT GUIDELINES

- Project Description. This is a planned residential community on 11.66AC of land located east of Dines Boulevard and North of Sterling Branch Road. The project is planned as a single family detached and attached community with a range of lot sizes, trails and open spaces throughout.
- Planned and Accessory Uses. Permitted and accessory uses are as identified in the use table below. These uses are also subject to the Commission and approval of the Sterling Branch Metro District.

PRINCIPAL USES		
CHRS Facility, Stealth	S**	
Dwellings - Detached Single Family	A	A*
Dwellings - Attached Single Family	A	A*
Model Home/Subdivision Sales Office	T***	A
Public Park, Open Space	A	A
Part Sales	T***	A

ACCESSORY USES		
Day Care Home	A*	
Group Home	A*	
Home Occupation, Residential	A	
Accessory Living Quarters	A	
Personal Use Greenhouse	A	
Residential accessory structures & uses	A	
Solar Energy system	A	

LEGEND
A: Allowed Use
S: Special User**
T: Temporary Use***

Uses not listed in this table are prohibited.

* Day Care & Group Homes may be an Allowed Use or a Special Use depending on the size as defined in Table 5.3 of the El Paso County Land Development Code and are subject to the criteria in Section 5.2.6 of the El Paso County Land Development Code unless otherwise Amended

** Special Uses are subject to the requirements of the El Paso County Land Development Code, Section 5.3.2 OR as otherwise Amended

*** Temporary Uses are subject to the requirements of the El Paso County Land Development Code, Section 5.3.1 OR as otherwise Amended

- Signs. Signs shall be permitted to identify entrances to Sterling Ranch Filing 5. The maximum size of the Community Entryway Sign shall be 100 square feet with a maximum height of 6 feet. Sign size shall be measured by drawing the smallest rectangle around the text of the sign. For double sided signs, only one sign face shall contribute to the maximum size.

- Development Standards
 - Attached Units
 - Maximum building height: 35'
 - Maximum lot coverage: 75%
 - Setback minimums:
 - Front: 20'
 - Rear: 15'
 - Side: 0' on shared lot boundaries, 5' on detached side lot boundaries
 - End/Corner: 10' Next to ROW
- Detached Units
 - Building height: 35'
 - Maximum lot coverage: 65%
 - Setback minimums:
 - Front: 20'
 - Rear: 15'
 - Side: 5'
 - End/Corner: 10' Next to ROW

- Minimum Lot Width: 30'
- Minimum Lot Size: 3,000 SF
- Landscaping Standards:
 - Minimum number of trees: 10'
 - Dines Boulevard: 15'
 - Northern Boundary: 15'
- Northern Boundary.
- Proprietors to setbacks are governed by the Land Development Code, as may be amended, and as stated below:
 - Decks, patios, lanings, window wells and other similar features may project into rear setbacks a maximum of 3' provided they do not interfere with utility services and drainage easements.
 - No projections into the areas owned and maintained by the Sterling Branch Metropolitan District will be permitted.
- Accessory buildings must comply with the setbacks established above.
- Streets. Streets within Sterling Branch Filing 5, subdivision provide general vehicular circulation throughout the development. All Streets shall be paved. Sidewalks will be provided as illustrated on this plan and as required by the D.C. and E.C.M.
- Street Distance Markers. No handpicking may obstruct sight distance triangles or pedestrian facilities per Engineering Criteria Manual Reference 2.3.6.C.2 & provide safe conditions for pedestrians and bicyclists per the Engineering Criteria Manual.
- Estimates. Unless otherwise indicated, all side lot lines are hereby platted on either side with a 5' public utility and drainage easement, except when the side yard setback to a public street and broader a 10' public improvement, public utility and drainage easement. All front lot lines are hereby platted with a 10' dwelling units will not have an easement along the common shared property line. The sole responsibility for the surface maintenance of easements is hereby vested with the individual property owners.

Board of County Commissioners Certification

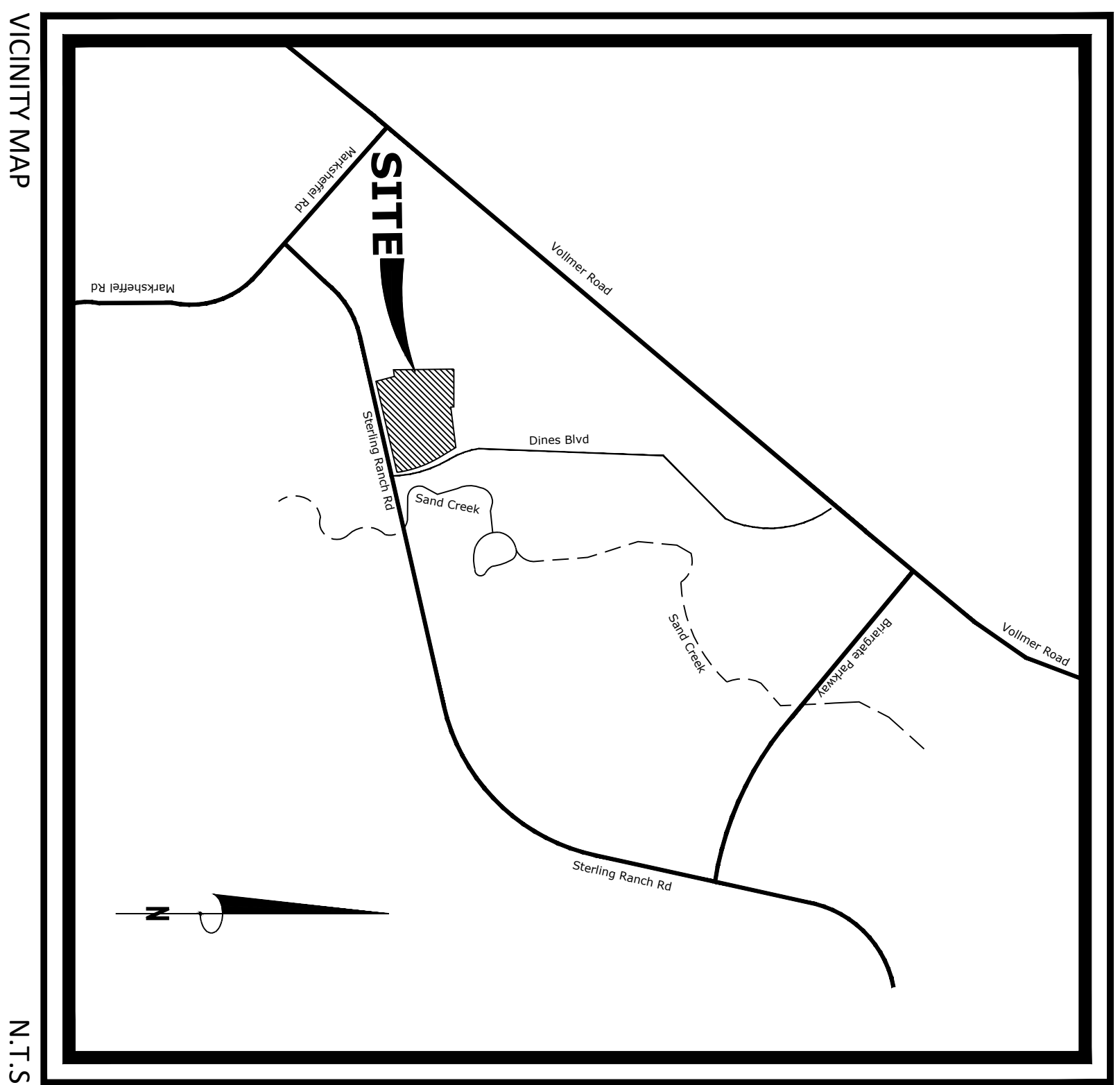
This PUD/preliminary plan for Sterling Ranch Filing 5 was approved for filing by the El Paso County, Colorado Board of County Commissioners on the _____ day of _____, 20____ at _____, El Paso County, Colorado. The Board of County Commissioners hereby certifies that this PUD/preliminary plan complies with the requirements of the Colorado Planned Unit Development Act of 1972, as amended, and that the Board of County Commissioners hereby certifies that the Board of County Commissioners has given its preliminary approval of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual, and the Subdivision Improvements Agreement.

Director, Planning & Community Development Department	date
_____	_____

Clerk and Recorder Certification

I hereby certify that this plan was filed in my office on this _____ (day) of _____ (month), 20____ at _____ o'clock a.m./p.m. and was recorded per Reception No. _____

El Paso County Clerk and Recorder



LEGAL DESCRIPTION

TRACT B, BRANDING IRON AT STERLING RANCH FILINGS NO. 2 RECORDED UNDER RECEPTION NO. 200714654 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER

GENERAL NOTES

- All setbacks shown on development plan are to be 5' concrete unless otherwise specified.
- Patios and common area landscape will be maintained by the Sterling Branch Metro District.
- Landscaping features, open space tracts, paths and trails shall be owned and maintained Sterling Branch Metro District.
- to be a zone X area determined one out of the 500 year floodplain).
- The parties responsible for this plan have familiarized themselves with all current accessibility criteria and specifications and the proposed plan reflects all site elements required by the applicable ADA design standards and guidelines as published by the United States Department of Justice. Approval of this plan by El Paso County does not assure compliance with the public codes as shown on this PUD will be constructed to El Paso County standards and maintained by El Paso County.
- Minor changes such as minor lot or tract adjustments upon final engineering will not require a PUD or Preliminary Plan amendment.
- NOTE: This property may be adversely impacted by noise, dust, fumes, and light pollution caused by adjacent industrial properties and activities. The buyer should research and consult with an expert, which is being disclosed to all prospective purchasers considering the use of this property for residential and other purposes. This property is subject to the overhead and associated noise of arriving and departing aircraft during the course of normal airport operations.
- All open space/landscaping tracts shall be limited to non-motorized use only, access for maintenance and emergency vehicles.
- NOTE: This property may be adversely impacted by noise, dust, fumes, and light pollution caused by adjacent industrial properties and activities. The buyer should research and consult with an expert, which is being disclosed to all prospective purchasers considering the use of this property for residential and other purposes. This property is subject to the overhead and associated noise of arriving and departing aircraft during the course of normal airport operations.
- The following reports have been submitted in association with the PUD Preliminary Plan for this subdivision and are on file at the County Planning and Community Development Department: Traffic Impact Study prepared by CSC Transportation Consultants, Inc., Soil, Geology and Geologic Hazard Study prepared by JR Engineering
- The following reports have been submitted in association with the PUD Preliminary Plan for this subdivision and are on file at the County Planning and Community Development Department: Traffic Impact Study prepared by CSC Transportation Consultants, Inc., Soil, Geology and Geologic Hazard Study prepared by JR Engineering
- No direct lot access to Sterling Ranch Road and Dines Boulevard.
- All private shared drive shall be subject to a shared access easement to be recorded by separate instrument that will identify ownership, maintenance responsibilities, including easements, and other terms and conditions.
- Sterling Branch Metro District to maintain all site walls and fences.
- In areas of potentially shallow groundwater, underground drainage systems may be required. No basements are considered with this development. Any perimeter foundation drains shall be maintained by the homeowner when located between the house and the street. The Sterling Branch Metropolitan District shall maintain any foundation drains and/or easements for lots 54-55 will be responsible for the construction of the shared access driveway. The individual lot owners will be responsible for maintenance.

SOILS & GEOLOGY CONDITIONS, CONSTRAINTS & HAZARDS

A. Soils, Geology and Geologic Hazard Study for Sterling Ranch Filing 5, El Paso County, Colorado was completed by Etnich Engineering, Inc. on December 1, 2023. Geologic Hazard Note: The following geologic constraints identified below were encountered on Sterling Ranch Filing 5. Mitigation measures and a map of the hazard area can be found in the Soil, Geology, and Geologic Hazard Study by Etnich Engineering, Inc. on December 1, 2023, available at the El Paso County Planning and Community Development Department:

- Potentially Saturated Shallow Groundwater (Lots 7-9 and 13-17). The mitigation for the shallow groundwater is that no viable basements are proposed in Sterling Ranch Filing 5.
- Expansive soils and shallow bedrock.
- Unstable soils may be encountered where excavations approach the groundwater level.

The property is located on FRM Plan NO. 08041CO3336, Dated 12-07-2018. Said property is located in zone X, area of 0.2% annual chance of flood, areas of 1% annual change flood with average depth of less than 1' foot or with damage area less than 1 square mile.

Design engineering inc. considers in their report that development of the site can be achieved if the items mentioned above are mitigated. These items can be mitigated through proper design and construction or through avoidance. Investigation on each lot is recommended prior to construction.

Land Owner Certification

AUTHORIZED AGENT, MANAGER
State of Colorado
Signed before me on _____, 20____
A.D., A. CORONADO UNITED LIABILITY COMPANY
DAY OF _____, 20____
(name(s) of individual(s) making statement)

(Notary's official signature)
(Title of office)
(Commission Expiration)

SITE DATA

Tract ID Number:	5233302049
Area:	11.66 AC (507,909.6 SQ. FT.)
Current Zoning:	R-S-1, R-D-O
Proposed Zoning:	BLD-O
Current Land Use:	Vacant
Proposed Land Use:	Single Family Residential (Detached & Detached)
Number of Lots:	72 (70,629 SQ. FT.)
Gross Density:	6.17 DU/AC
Open Space Area:	2.45 AC (Tracts A,B,C)
Total Tracts:	2.52 AC (Tracts A,B,C,D)
Open Space Required =	(10% of 507,909.51 = 50,790.95'
Open Space Provided =	109,527.51' (Tracts A,B,C,D)
25% min. contiguous usable open space required (52% of 50,791.91' = 12,698.5'	
Contiguous usable open space provided (Tract B = 25,127.5' (69%))	

LAND USE DATA TABLE

LAND USE	ACRES	% OF LAND
SINGLE FAMILY	6.21	53.2%
PUBLIC ROADS	2.93	25.2%
TRACTS	2.52	21.6%
TOTAL	11.66	100%

PROJECT TEAM

Owner/Subdivider: CLASS 581 LAND LLC
1885 S. Cascade Avenue, Ste 200
Colorado Springs, CO 80921

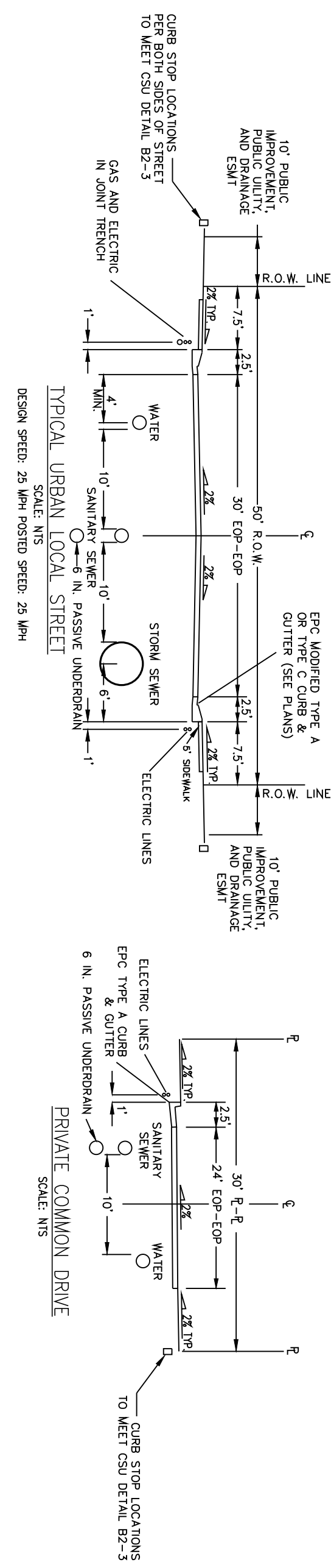
Applicant/Preparer: NCS INC
1885 S. Cascade Avenue, Ste 200
Colorado Springs, CO 80921

Land Planner: NCS INC
1885 S. Cascade Avenue, Ste 200
Colorado Springs, CO 80921

Civil Engineer: LA Engineering
5475 Tejon Center Drive, suite 335
Colorado Springs, CO 80919

SHEET INDEX

Sheet 1 of 9: Cover Sheet
Sheet 2 of 9: Lot Typical, Adjacent Property Owners
Sheet 3 of 9: PUD Preliminary Plan
Sheet 4 of 9: PUD Preliminary Grading Plan
Sheet 5 of 9: PUD Preliminary Landscaping Notes
Sheet 6 of 9: PUD Preliminary Plan Landscaping Details
Sheet 7 of 9: PUD Preliminary Plan Landscaping Plan
Sheet 8 of 9: PUD Preliminary Plan Landscaping Constraints Map
Sheet 9 of 9: PUD Preliminary Plan Landscaping Constraints Map



NCS, Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903
Tel: 719.471.0073
Fax: 719.471.0267
www.nccolorado.com
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STERLING RANCH FILING 5

PUD Preliminary Plan

DATE: 08/25/2023
PROJECT MGR: B. PERKINS
PREPARED BY:

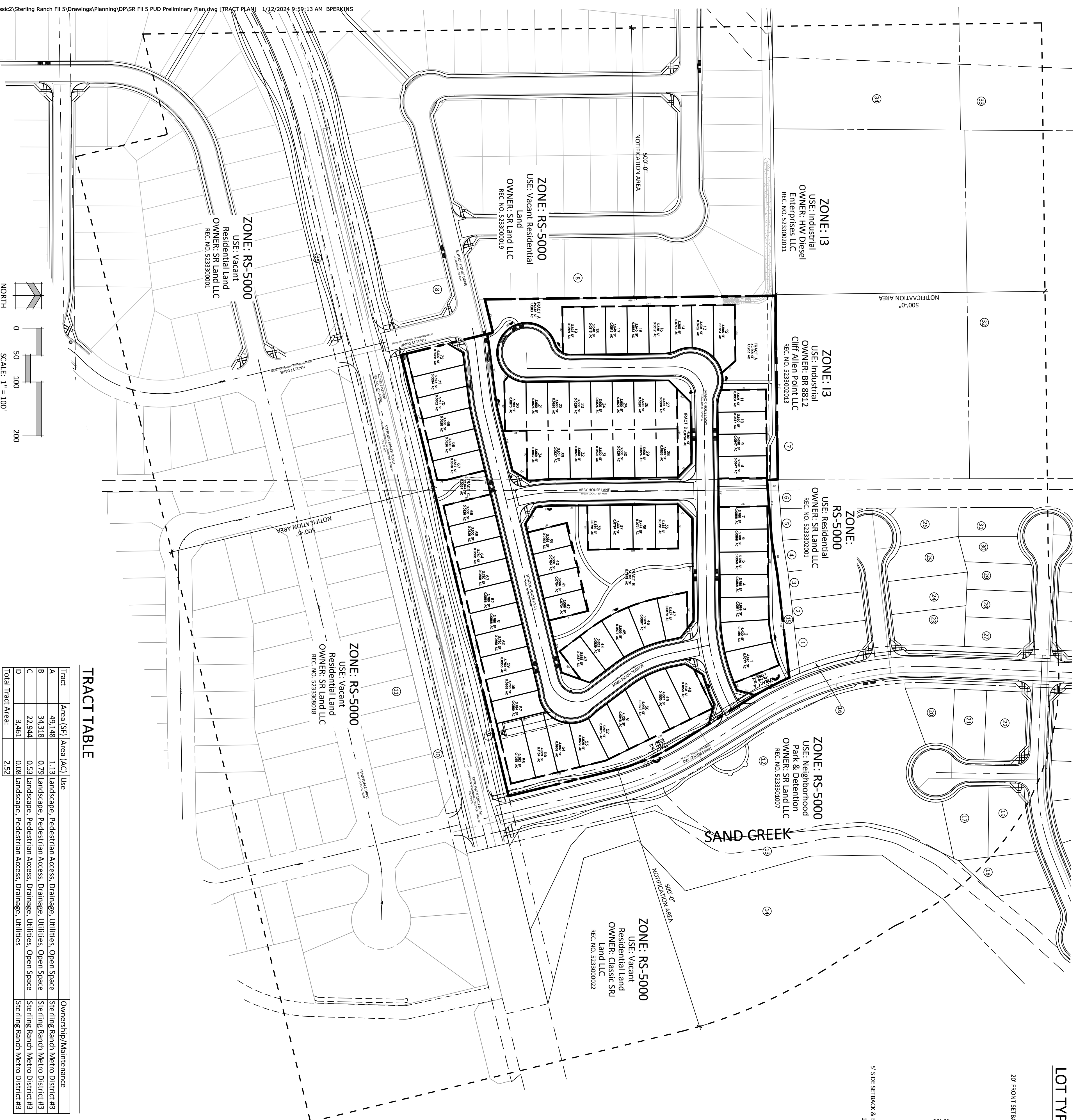
COVER SHEET

PLAN FILE # PUDP232
SHEET NUMBER 1 OF 9
SHEET TITLE COVER SHEET
ISSUE / REVISION
ISSUE INFO
DATE: 01/12/2024
BY: BP
DESCRIPTION: PER COUNTY REVIEW
DATE: 01/04/2024
BY: BP
DESCRIPTION: PER COUNTY REVIEW
DATE: 12/04/2023
BY: BP
DESCRIPTION: COMMENTS

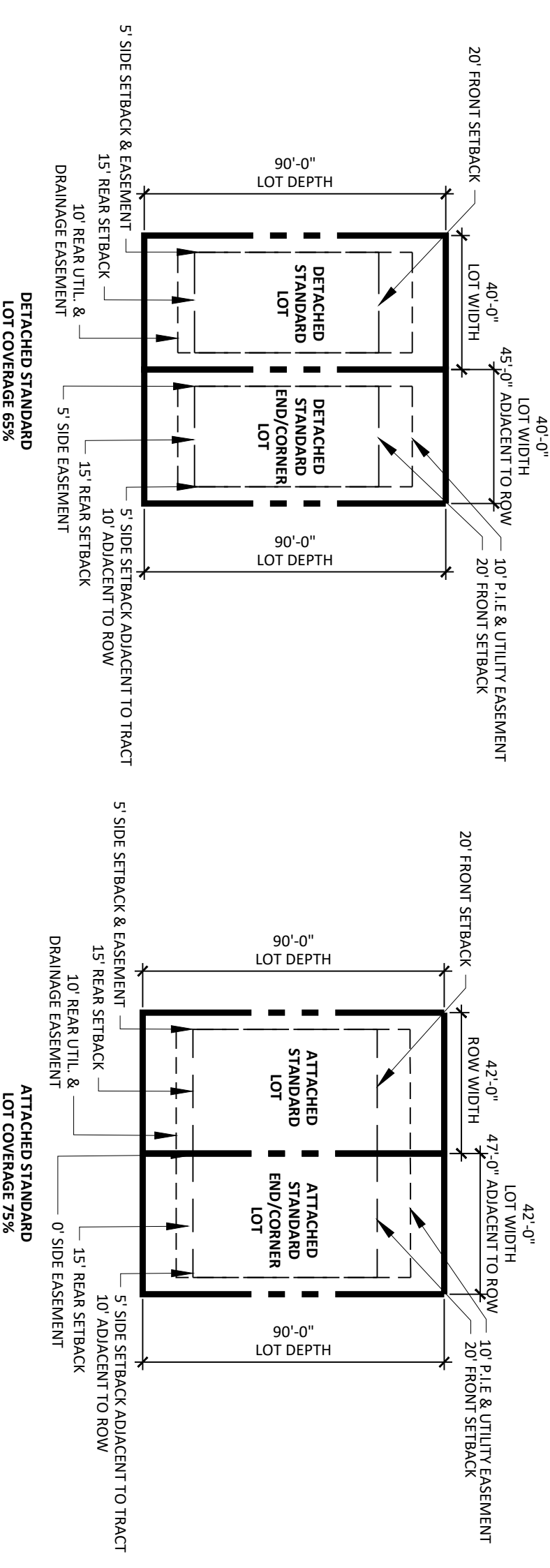
STERLING RANCH FILING 5

PUD PRELIMINARY PLAN

A PORTION OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY



LOT TYPICALS



LINE TYPE LEGEND



ADJACENT OWNERS

Owner Name	Location	CITY, STATE, ZIP
1 JEFFREY LAND KRISTIA K HARDOCK	8297 KINILA CT	Colorado Springs, CO 80908
2 JACKSON EDWARD AND PATRICIA JOHANN POPE	8287 KINILA CT	Colorado Springs, CO 80908
3 DUANE AND GLENDA LEWIS HERBERT	8277 KINILA CT	Colorado Springs, CO 80908
4 RYAN AND JESSICA L BRUDE	8267 KINILA CT	Colorado Springs, CO 80908
5 JOSEPH AND WINNIE VASQUEZ	8257 KINILA CT	Colorado Springs, CO 80908
7 BR 8812 CLIFF ALLEN POINT LLC	PO BOX 88120	Colorado Springs, CO 80908
6,8,9,10 12,13,15 SR LAND LLC	20 BOULDER CRESCENT ST STE 102	Colorado Springs, CO 80903
11 ARTESIA LOT HOLDINGS LLC	4400 STATE HIGHWAY 121 STE 410	Colorado Springs, CO 75056
14 CLASSIC SR LAND LLC	2138 LYING HORSE CLUB DR	Colorado Springs, CO 80921
17 CRAIG M AND JULIE A DRAGOSH	8881 MISTY LAKE CT	Colorado Springs, CO 80908
18 ELIZABETH AND MICHAEL FREAUFE	8337 SPRAGUE WAY	Colorado Springs, CO 80908
19 BRANDON & ASHLEY VIRCIC	8891 MISTY LAKE CT	Colorado Springs, CO 80908
20 JACQUELYN LEE ELISON	8870 MISTY LAKE CT	Colorado Springs, CO 80908
21 WILLIAM BRAUNER AND PAOLA GOYTA BENITIZ	8880 MISTY LAKE CT	Colorado Springs, CO 80908
22 ALEKA AND BAILEY TONS	8298 KINILA CT	Colorado Springs, CO 80908
23 ROBERT LAWRENCE AND STEPHANIE DEWODDY	6480 OLYMPIC PARK PT UNIT 302	Colorado Springs, CO 80908
25 MARK R AND SHANNA W GARDNER	8278 KINILA CT	Colorado Springs, CO 80908
26 MIC AND VICKY PHILLIPS	8268 KINILA CT	Colorado Springs, CO 80908
27 NIKAL LEON MURREY, MARGARET ANNE MURREY, MITCHELL WEREL MURREY	8289 SPRAGUE WAY	Colorado Springs, CO 80908
28 LUBOVITKIJ PROPERTIES LLC	8281 SPRAGUE WAY	Colorado Springs, CO 80908
29 PALANIPAPAN SASIKUMAR	8273 SPRAGUE WAY	Colorado Springs, CO 80908
30 ENIN FACH AND ROBERT L ENSPAHR	8265 SPRAGUE WAY	Colorado Springs, CO 80908
31 GAO CASSET AND JULIAN WBSSTY	8257 SPRAGUE WAY	Colorado Springs, CO 80908
32 BWH PROPERTIES LLC	125 S CHESTNUT ST	Colorado Springs, CO 80905
33 LEWIS-WOLF PROPERTIES LLP C/O BILLS TOOL RENTAL INC	125 S CHESTNUT ST	Colorado Springs, CO 80905
34 HW DIESEL ENTERPRISES LLC	125 S CHESTNUT ST	Colorado Springs, CO 80905
35 SR LAND LLC AND CHALLENGER COMMUNITIES LLC	20 BOULDER CRESCENT ST STE 102	Colorado Springs, CO 80903

TRACT TABLE

Tract	Area (SF)	Area (AC)	Use	Ownership/Maintenance
A	49,148	1.13	Landscape, Pedestrian Access, Drainage, Utilities, Open Space	Sterling Ranch Metro District #3
B	34,318	0.79	Landscape, Pedestrian Access, Drainage, Utilities, Open Space	Sterling Ranch Metro District #3
C	22,941	0.53	Landscape, Pedestrian Access, Drainage, Utilities, Open Space	Sterling Ranch Metro District #3
D	3,461	0.08	Landscape, Pedestrian Access, Drainage, Utilities	Sterling Ranch Metro District #3
Total Tract Area		2.52		

PLAN FILE #

SHEET NUMBER

2 OF 9

PUDSP232

SHEET TITLE

TRACT TABLE, LOT TYPICALS, ADJACENT PROPERTY OWNERS

ISSUE / REVISION

12/04/2023	BP	PER COUNTY REVIEW
01/04/2024	BP	PER COUNTY REVIEW
01/12/2024	BP	PER COUNTY REVIEW

ISSUE INFO

DATE: 08/29/2023

PROJECT NBR: 1202300000000

PREPARED BY: B. PERKINS

STAMP

ENTITLEMENT

PROJECT INFO

DATE: 08/29/2023

PROJECT NBR: 1202300000000

PREPARED BY: B. PERKINS

IN ASSOCIATION WITH

STERLING RANCH FILING 5

PUD Preliminary Plan

PLANNER / LANDSCAPE ARCHITECT

N.E.S. Inc.

619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Tel: 719.471.0073
Fax: 719.471.0267

www.nescolorado.com

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STERLING RANCH FILING 5

PUD PRELIMINARY PLAN

A PORTION OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY



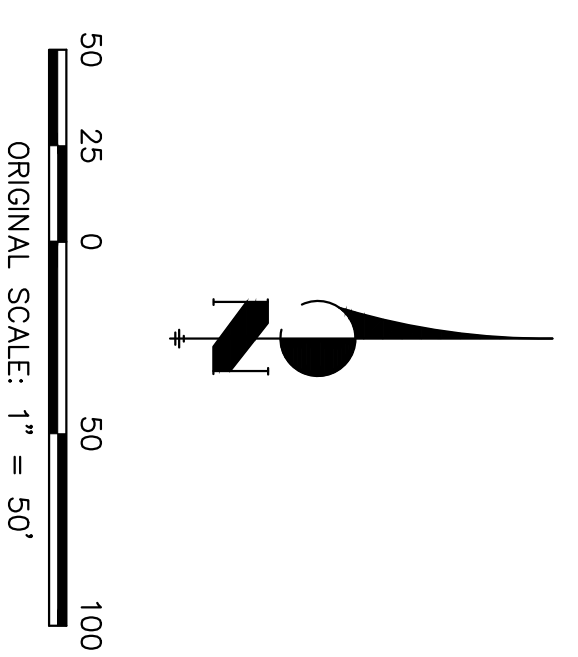
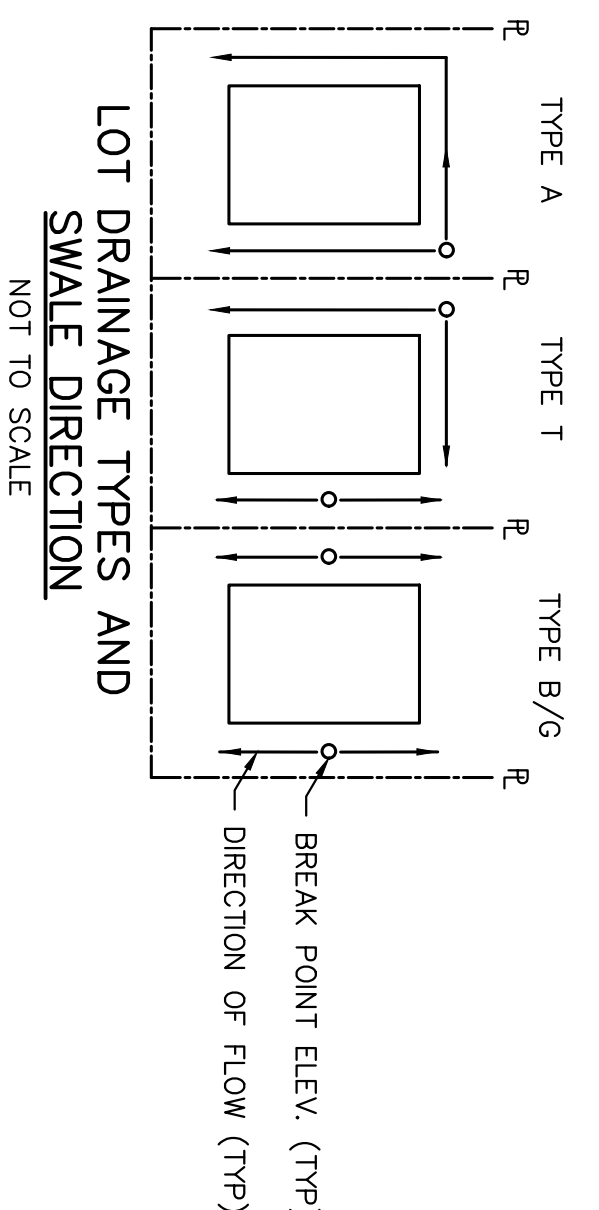
ZONE: I3
USE: Industrial
OWNER: HW Diesel
REC. NO. 533802011

ZONE: RS-5000
USE: Residential
OWNER: SR Land LLC
REC. NO. 533802013

ZONE: RS-5000
USE: Neighborhood Park & Recreation
OWNER: SR Land LLC
REC. NO. 533802017

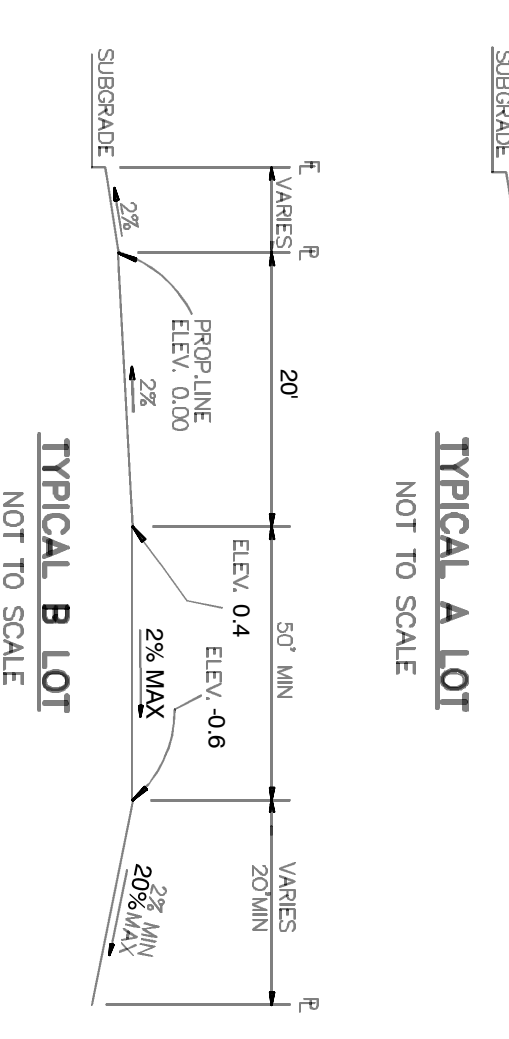
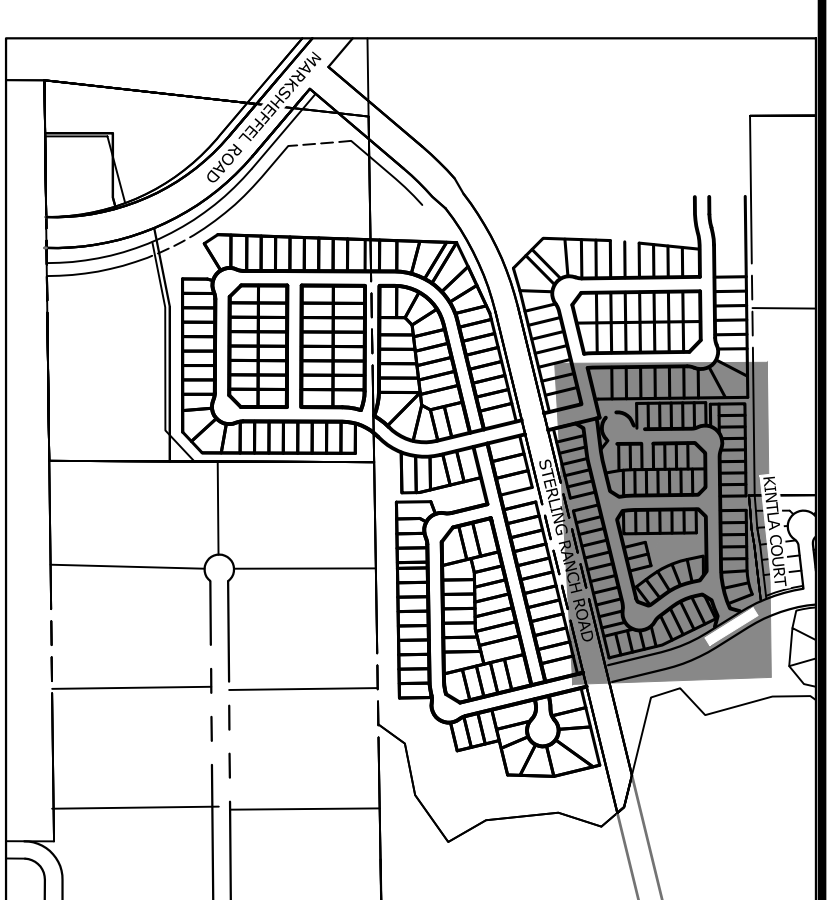
ZONE: RS-5000
USE: Vacant Residential Land
OWNER: SR Land LLC
REC. NO. 533802019

PLAN FILE #	SHEET NUMBER	SHEET TITLE	ISSUE / REVISION	ISSUE INFO	STAMP	PROJECT INFO	IN ASSOCIATION WITH	PLANNER / LANDSCAPE ARCHITECT																		
PUDSP232	3 OF 9	PUD PRELIMINARY PLAN	<table border="1"> <tr> <th>DATE</th> <th>BY</th> <th>REVISION/DESCRIPTION</th> </tr> <tr> <td>12/04/2023</td> <td>BP</td> <td>PER COUNTY REVIEW</td> </tr> <tr> <td>01/04/2024</td> <td>BP</td> <td>PER COUNTY REVIEW</td> </tr> <tr> <td>01/12/2024</td> <td>BP</td> <td>PER COUNTY REVIEW</td> </tr> </table>	DATE	BY	REVISION/DESCRIPTION	12/04/2023	BP	PER COUNTY REVIEW	01/04/2024	BP	PER COUNTY REVIEW	01/12/2024	BP	PER COUNTY REVIEW	ENTITLEMENT	<table border="1"> <tr> <td>DATE:</td> <td>08/29/2023</td> </tr> <tr> <td>PROJECT NBR:</td> <td>2023000</td> </tr> <tr> <td>PREPARED BY:</td> <td>B. PERKINS</td> </tr> </table>	DATE:	08/29/2023	PROJECT NBR:	2023000	PREPARED BY:	B. PERKINS	STERLING RANCH FILING 5 PUD Preliminary Plan	www.nrescolorado.com © 2012. All Rights Reserved.	N.E.S. Inc. 619 N. Cascade Avenue, Suite 200 Colorado Springs, CO 80903 Tel: 719.471.0073 Fax: 719.471.0267 www.nrescolorado.com
DATE	BY	REVISION/DESCRIPTION																								
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DATE:	08/29/2023																									
PROJECT NBR:	2023000																									
PREPARED BY:	B. PERKINS																									



Cut volume (unadjusted) 6,130 Cu. Yd.
Fill volume (unadjusted) 26,628 Cu. Yd.
Net volume (unadjusted) 20,498 Cu. Yd. (±)

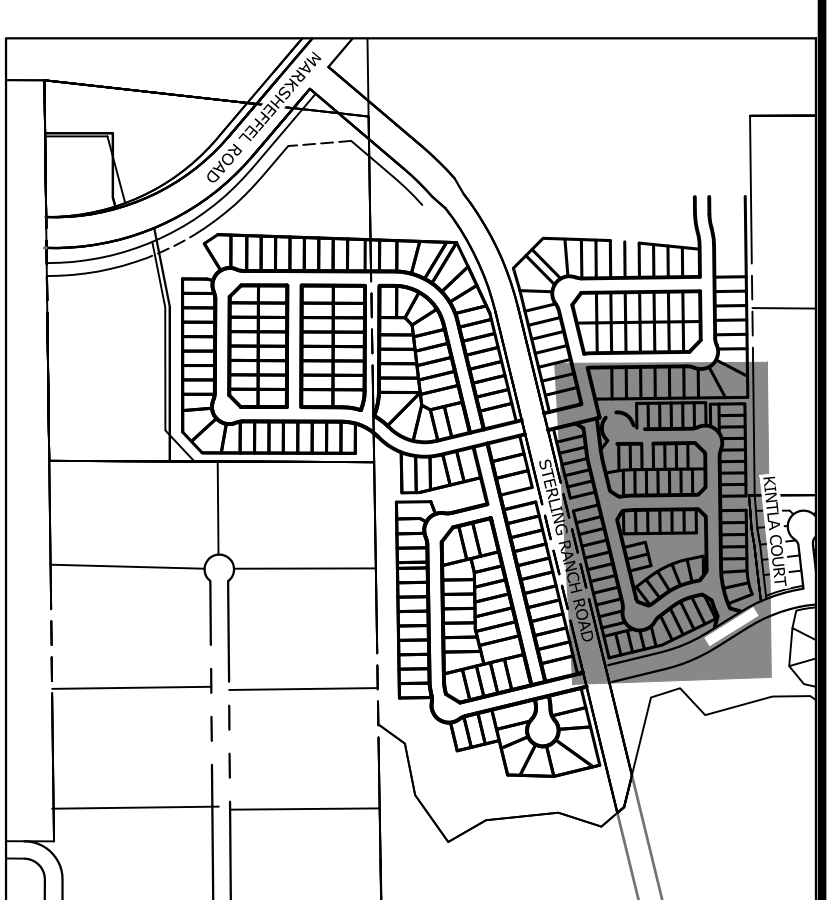
811
Know what's below.
Call before you dig.



NOTE:
"T" LOTS OR "TRANSITION" LOTS OCCUR IN PLACES WHERE BOTH PROPERTY LINES CANNOT BE GRADED AS THE TYPICAL STANDARD LOT TEMPLATES SHOWN. THESE LOTS WILL STILL BE GRADED TO CREATE POSITIVE DRAINAGE AWAY FROM THE STRUCTURE.
NOTE:
SIDE LOT SWALES WILL BE PROVIDED WHEN APPROPRIATE.

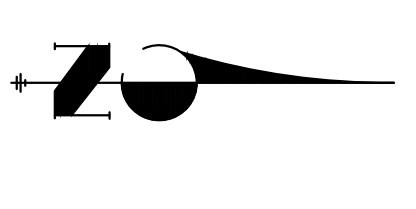
- LEGEND**
- EXISTING STORM SEWER
 - STORM SEWER PROPOSED
 - PROPOSED R.O.W
 - PROPOSED PROPERTY LINES
 - PROPOSED SIDEWALK
 - EXISTING PROPERTY LINE
 - ROW EXISTING
 - FL EXISTING
 - SIDEWALK EXISTING
 - DRAINAGE ACCESS & MAINTENANCE EASEMENT
 - SILT FENCE
 - DRAINAGE DITCH/SWALE
 - SF
 - INLET
 - LP / H.P.
 - LOW POINT/HIGH POINT
 - FLOW DIRECTION & SLOPE
 - FLOW DIRECTION ARROW
 - EXISTING FLOW DIRECTION ARROW

JOB NO. 25188.16	SHEET 4 OF 9	STERLING RANCH FILING 5		H-SCALE 1"=60'	No. REVISION	BY	DATE	<p>J-R ENGINEERING A Westrian Company</p> <p>Centennial 303-740-9393 • Colorado Springs 719-593-2583 Fort Collins 970-491-9888 • www.jrengineering.com</p>	PREPARED FOR CLASSIC SRJ LAND, LLC 2138 FLYING HORSE CLUB DRIVE COLORADO SPRINGS, CO 80921 LOREN MORELAND (719) 785-3270	UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, JR ENGINEERING APPROVES THEIR USE ONLY FOR THE PURPOSES DESIGNATED BY WRITTEN AUTHORIZATION.
		PRELIMINARY GRADING PLAN		V-SCALE N/A	DATE 11/13/23	DESIGNED BY RAB	DRAWN BY APL			

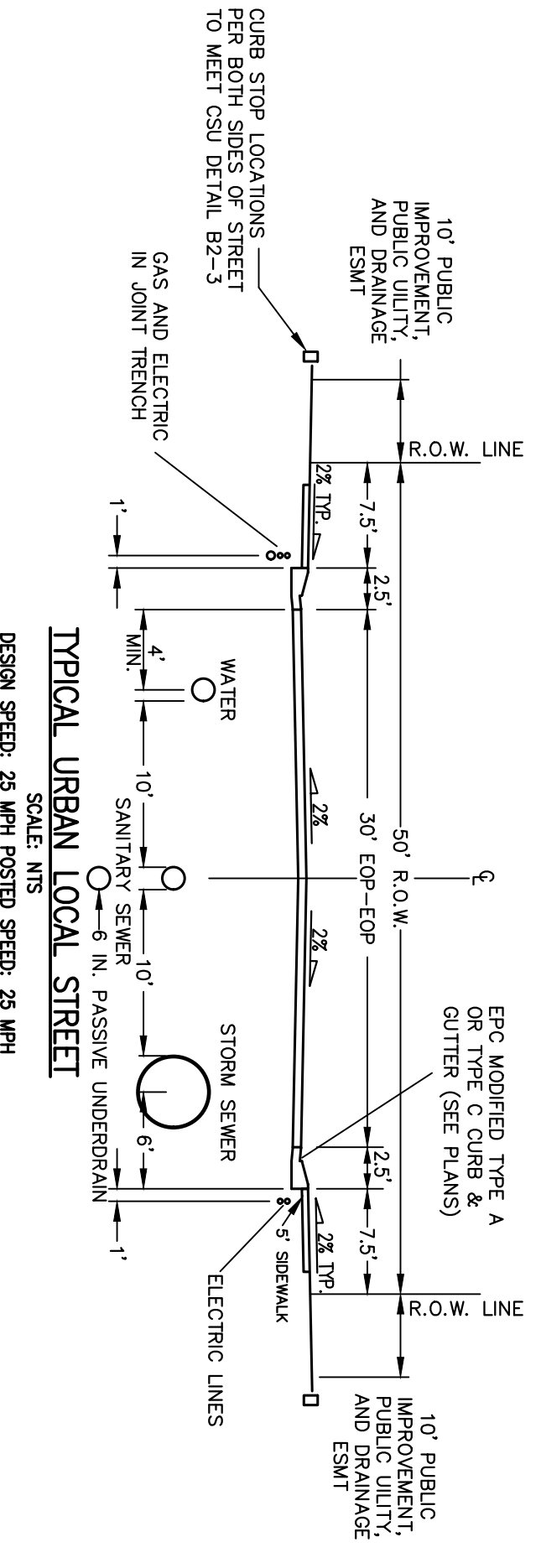


LEGEND

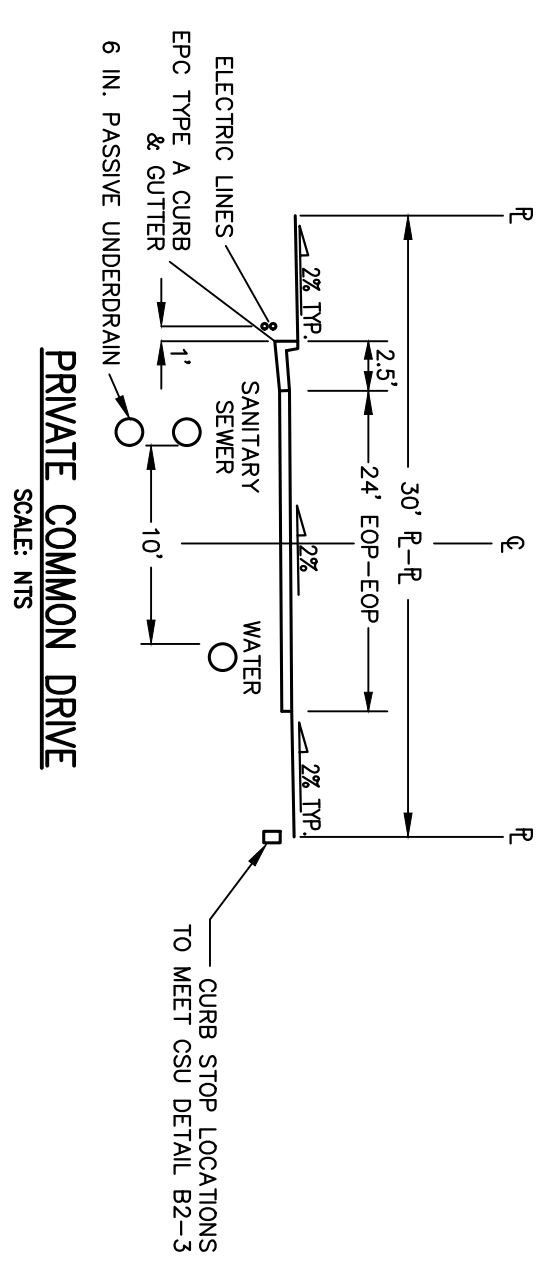
- PROPOSED SANITARY SEWER MAIN (SAN)
- PROPOSED WATER MAIN (WM)
- S— EXISTING SANITARY SEWER
- W— EXISTING WATER LINE
- X— PROJECT BOUNDARY
- PROPOSED R.O.W.
- PROPOSED EASEMENT
- EXISTING EASEMENT
- EXISTING GAS LINE
- EXISTING TELEPHONE LINE
- T— EXISTING TELEPHONE LINE
- OHU— EXISTING OVERHEAD UTILITIES
- X— EXISTING FENCE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER (STM)
- STORM SEWER INLET
- WATER VALVE
- WATER TEE FITTING
- CROSS FITTING
- FIRE HYDRANT
- WATER MANHOLE
- SANITARY MANHOLE
- EXISTING SIGN



TYPICAL URBAN LOCAL STREET



PRIVATE COMMON DRIVE



STERLING RANCH FILING 5		H-SCALE	1"=60'	No.	REVISION	BY	DATE
UTILITY PLAN		V-SCALE	N/A				
		DATE	11/13/23				
		DESIGNED BY	RAB				
		DRAWN BY	PAL				
		CHECKED BY					
SHEET	5	OF	9				
JOB NO.	25188.16						

STERLING RANCH FILING 5		H-SCALE	1"=60'	No.	REVISION	BY	DATE
UTILITY PLAN		V-SCALE	N/A				
		DATE	11/13/23				
		DESIGNED BY	RAB				
		DRAWN BY	PAL				
		CHECKED BY					
SHEET	5	OF	9				
JOB NO.	25188.16						

J-R ENGINEERING
A Westrian Company

Centennial 303-740-9393 • Colorado Springs 719-593-2583
Fort Collins 970-491-9888 • www.jrengineering.com

PREPARED FOR
CLASSIC SRJ LAND, LLC
2138 FLYING HORSE CLUB DRIVE
COLORADO SPRINGS, CO 80921
LOREN MORELAND
(719) 785-3270

UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, JR ENGINEERING APPROVES THEIR USE ONLY FOR THE PURPOSES DESIGNATED BY WRITTEN AUTHORIZATION.

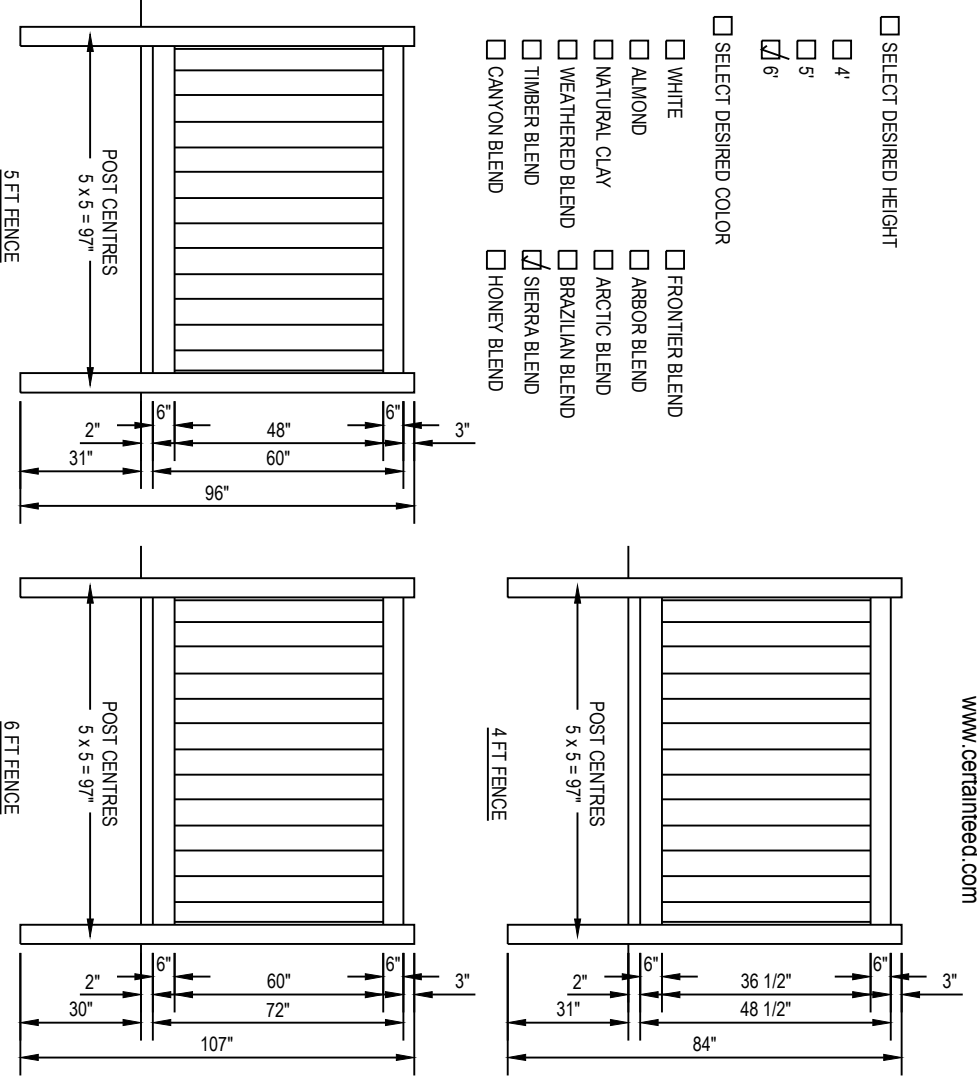
STERLING RANCH FILING 5

PUD PRELIMINARY PLAN

A PORTION OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY

CertainTeed
Bufftech®
Vinyl Fence Products

CERTAINTEED CORPORATION FENCE
DECK & RAIL DIVISION
231 SHIP CANAL PARKWAY
BUFFALO, NY 14218
TOLL FREE: 1-800-333-0589
PHONE: (716) 823-3023
FAX: (716) 823-3843
WWW.CERTAINTEED.COM

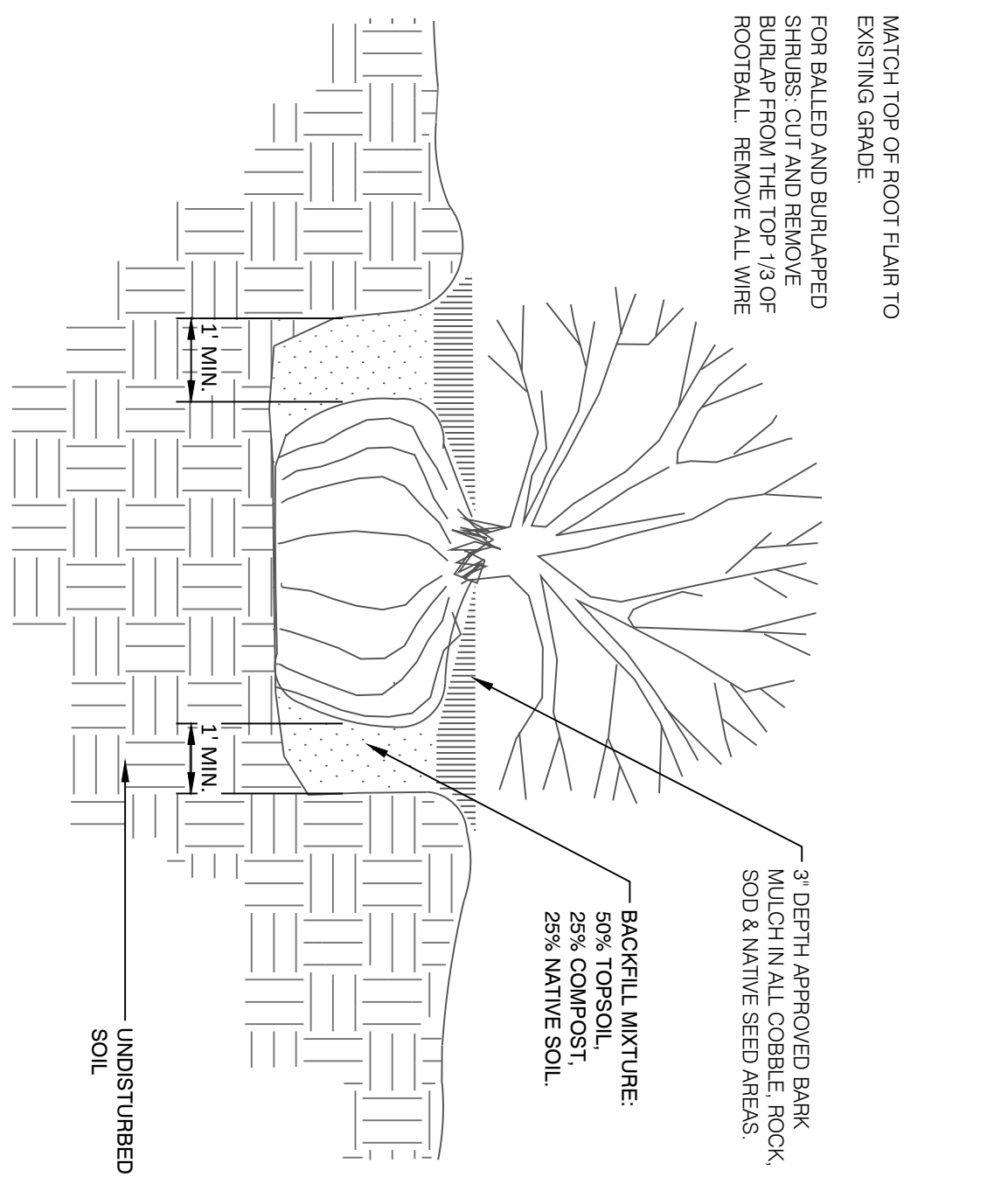
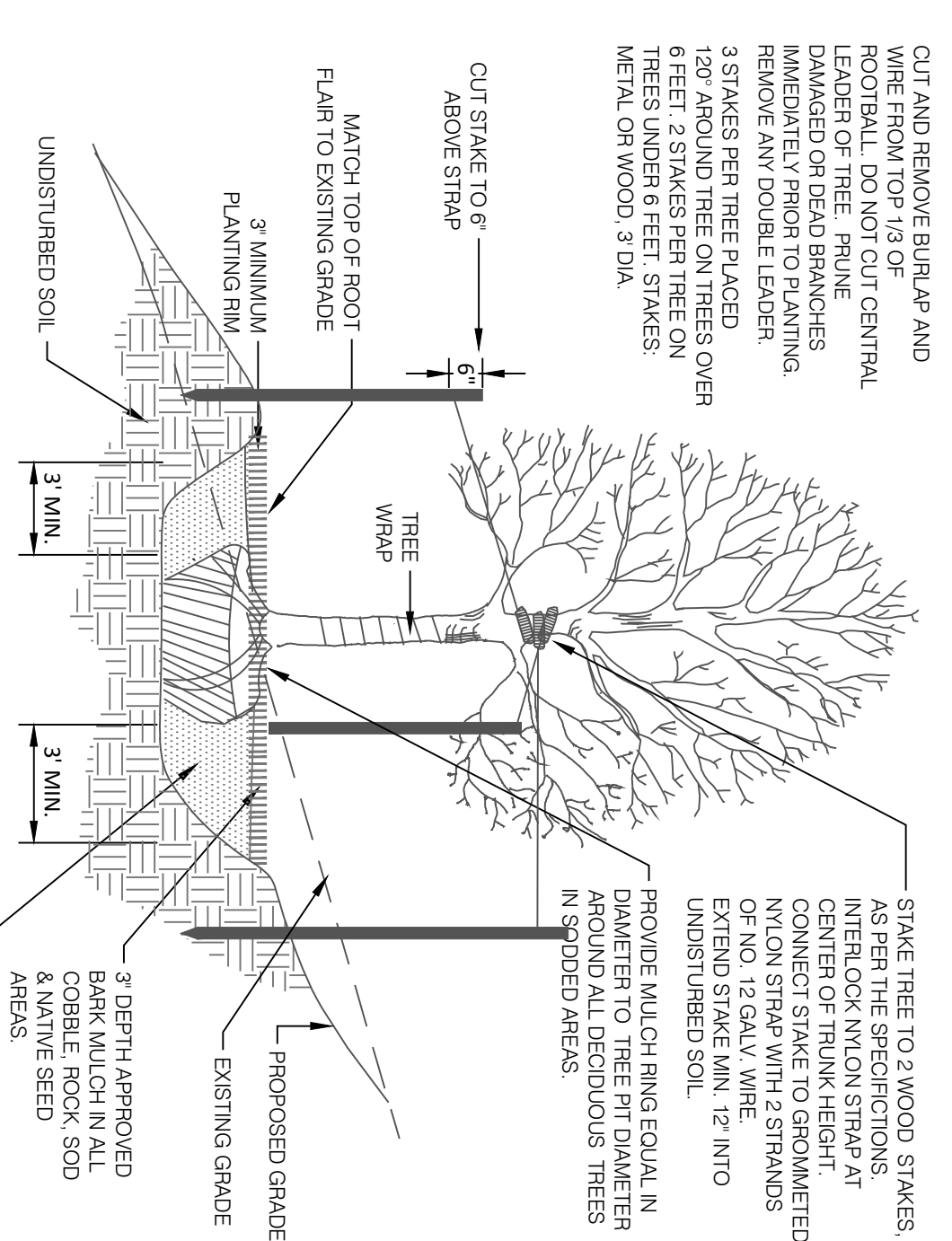
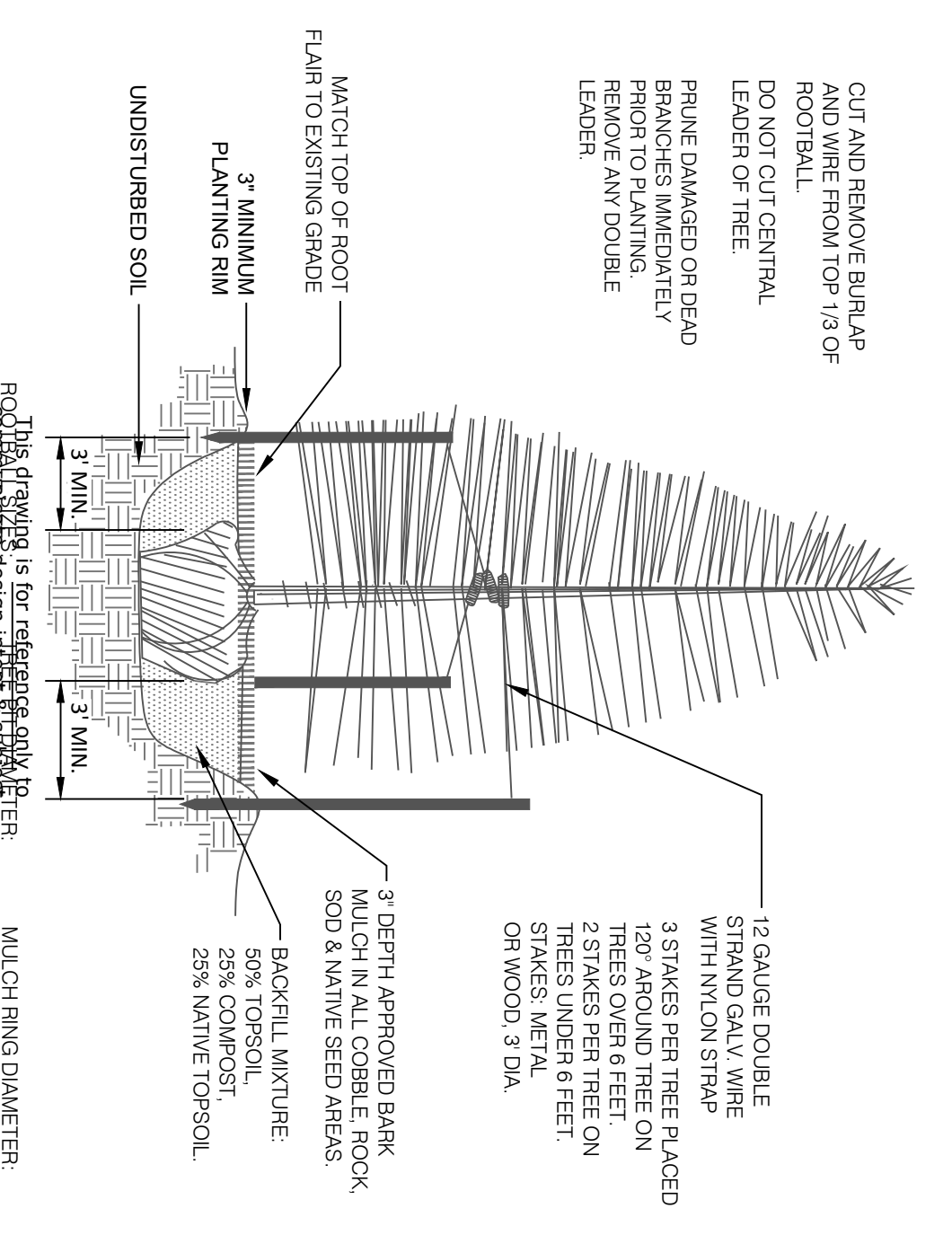
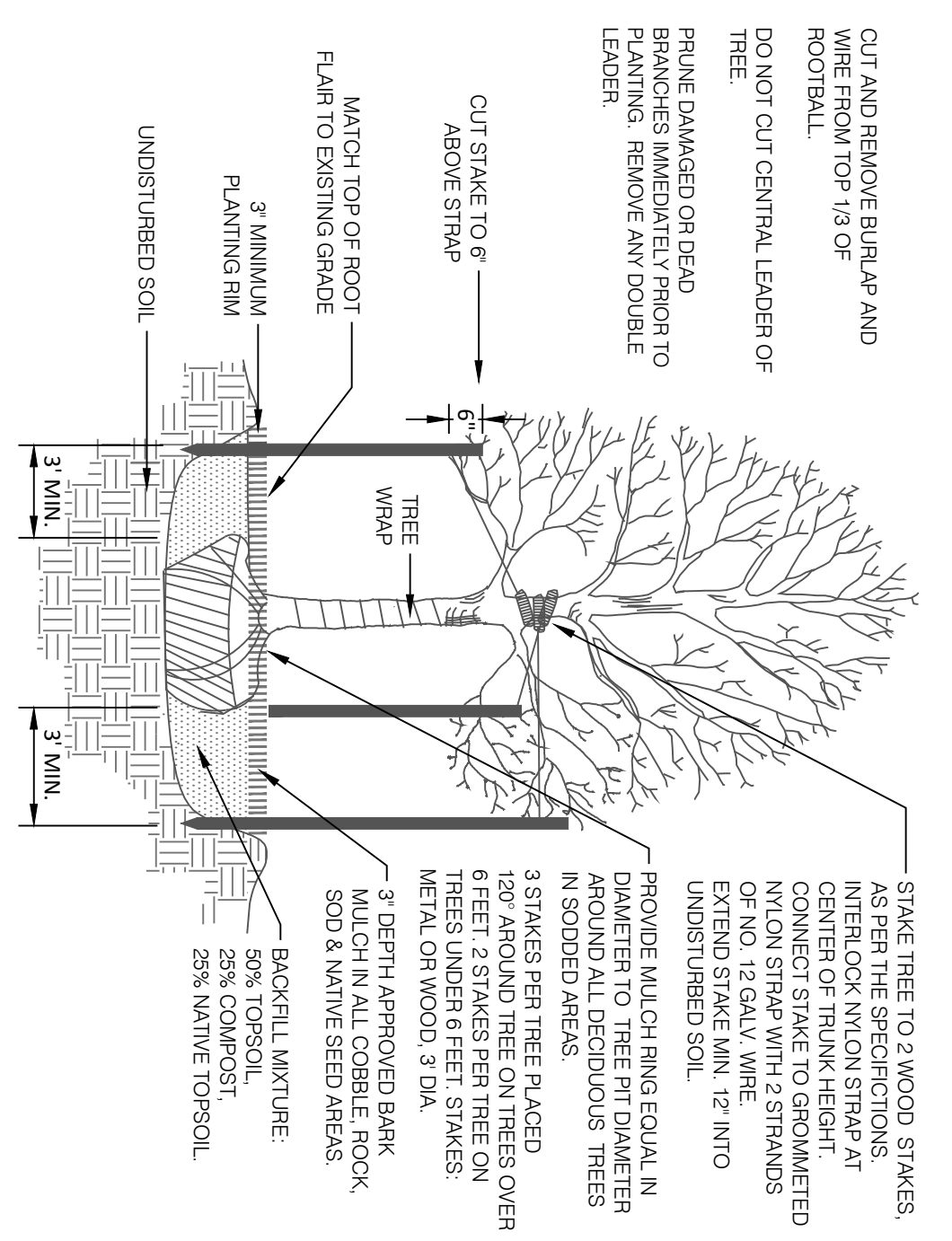


1 6' VINYL FENCE

2 DECIDUOUS TREE PLANTING DETAIL

3 CONIFEROUS TREE PLANTING DETAIL

4 DECIDUOUS TREE PLACEMENT ON SLOPE

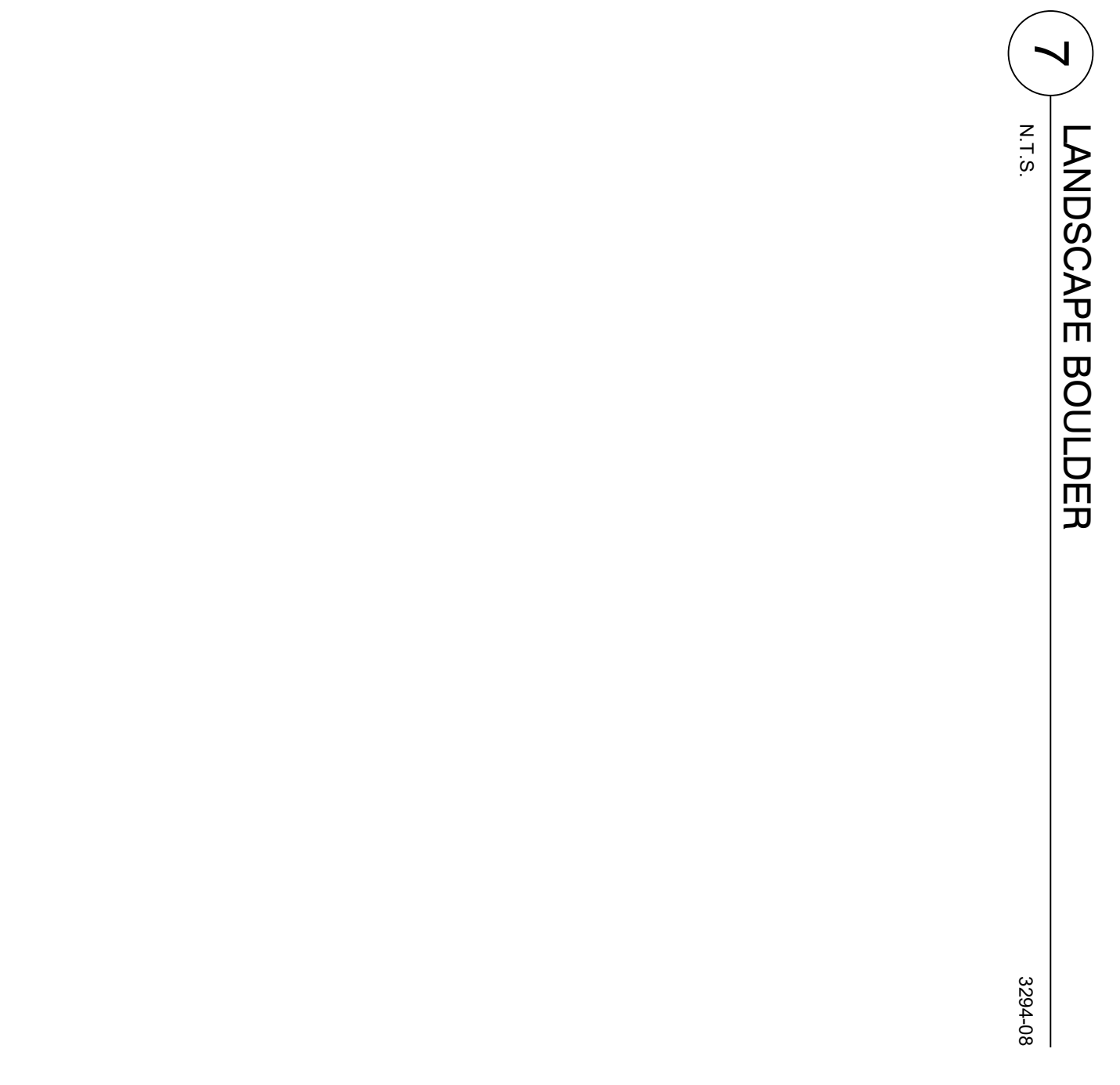
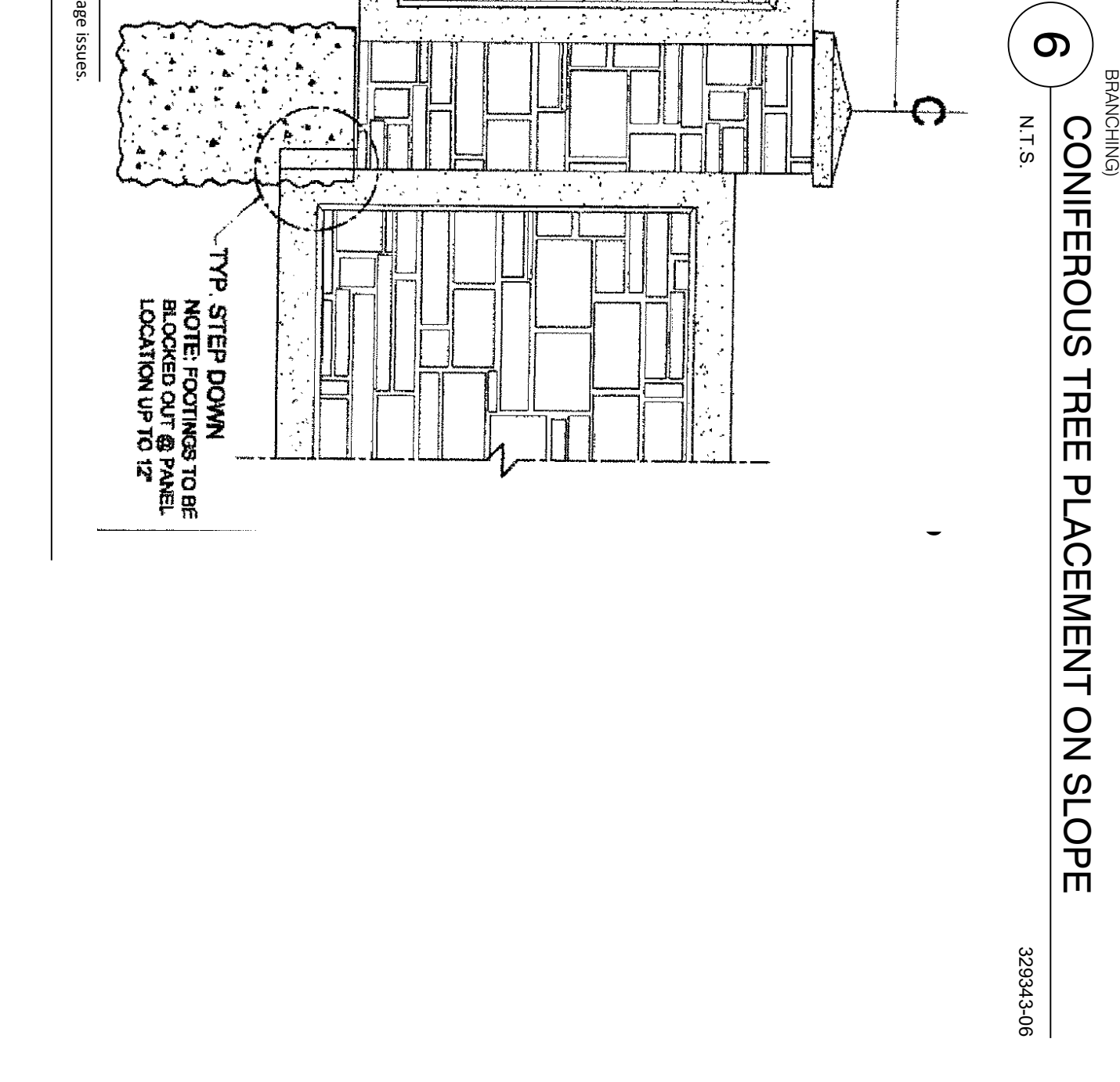
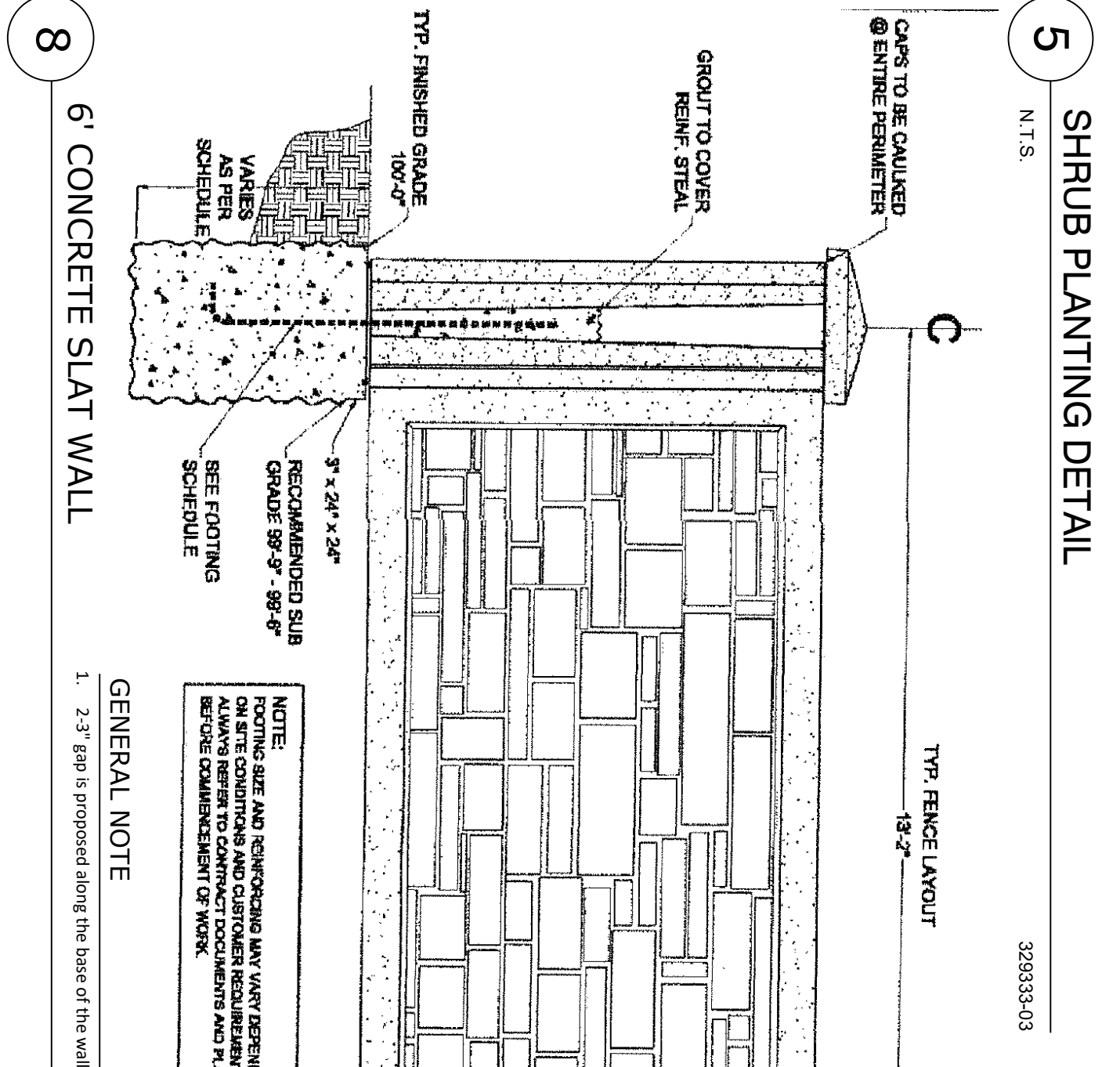
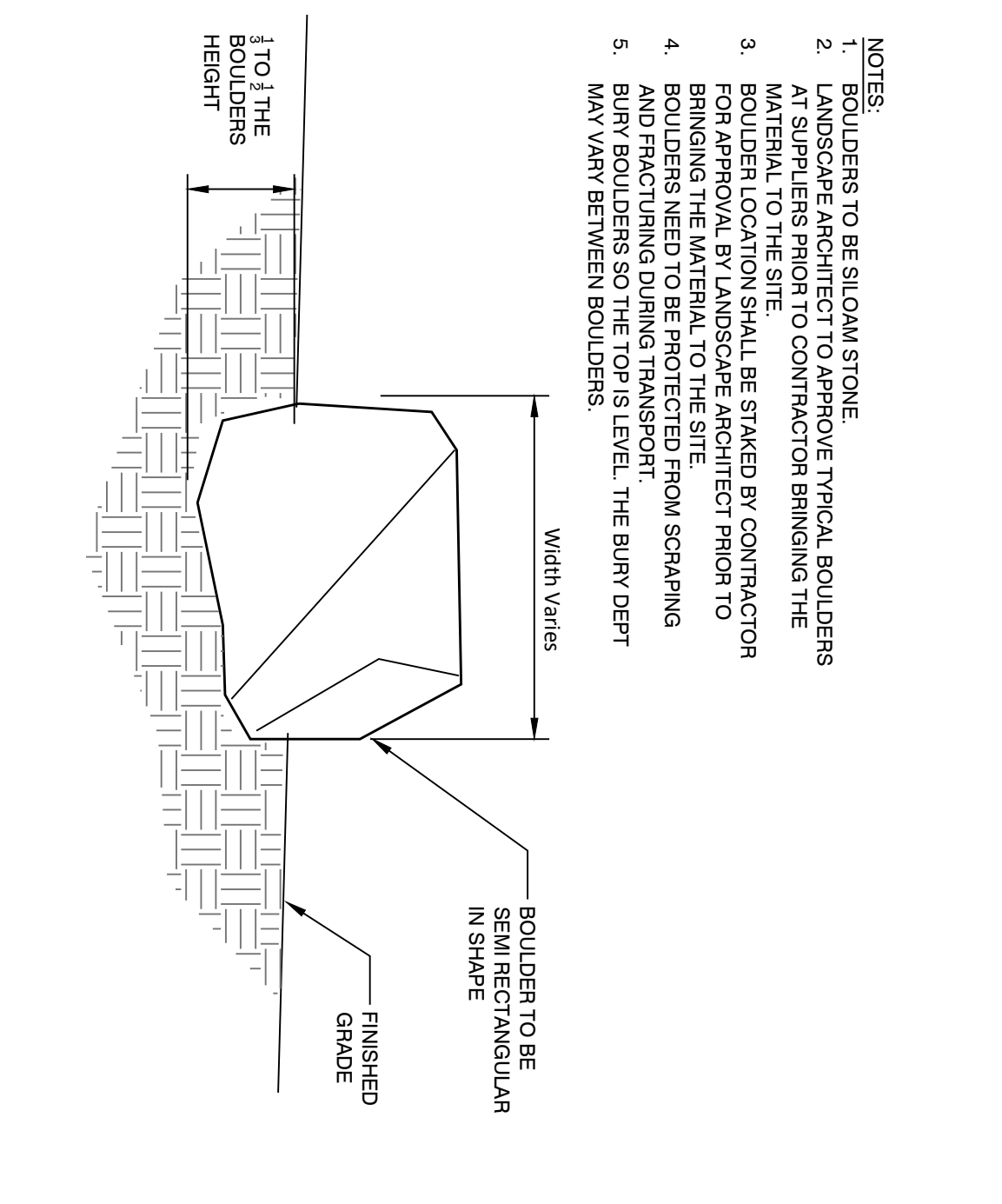
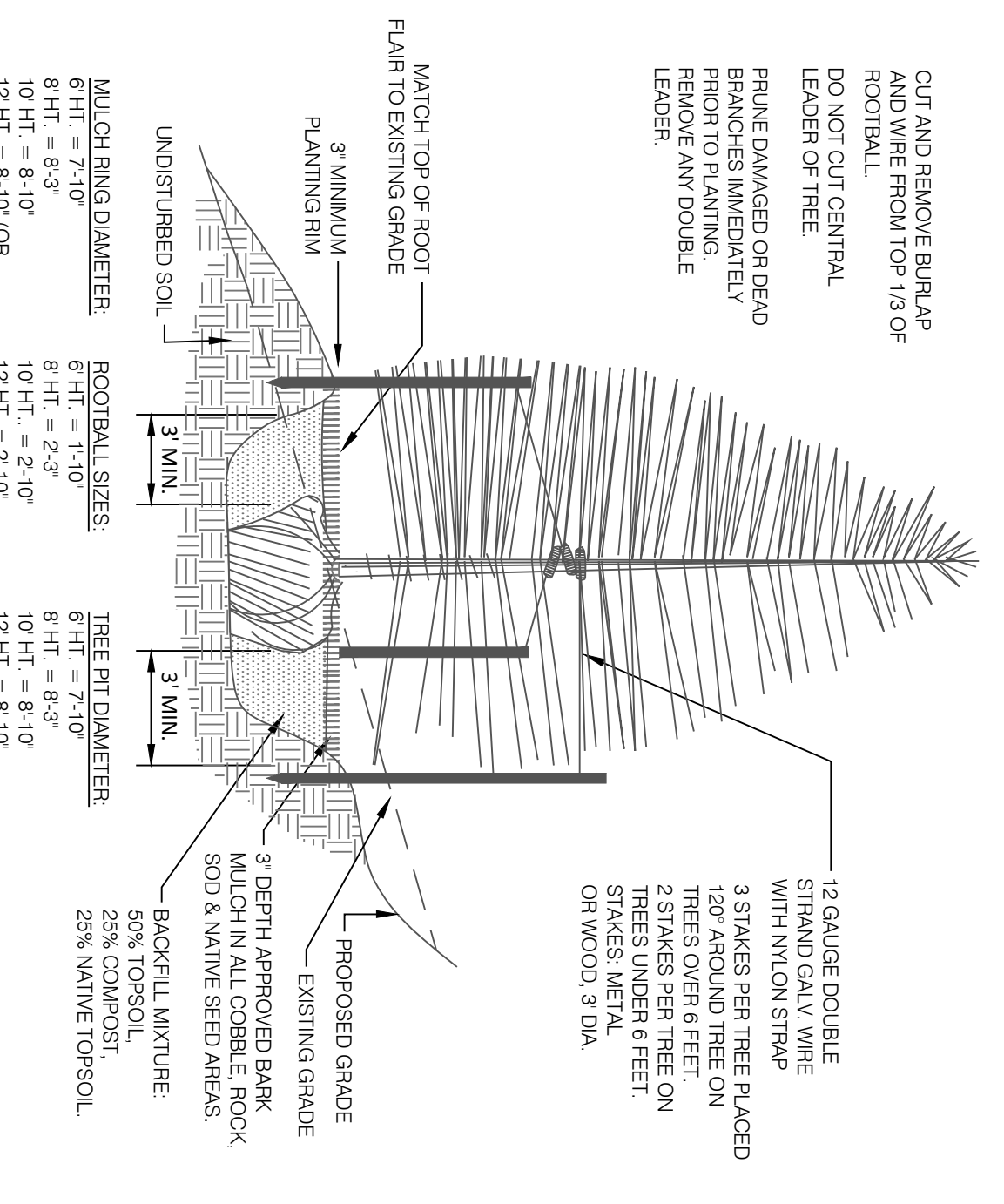


5 SHRUB PLANTING DETAIL

6 CONIFEROUS TREE PLACEMENT ON SLOPE

7 LANDSCAPE BOULDER

8 6' CONCRETE SLAT WALL



STERLING RANCH FILING 5

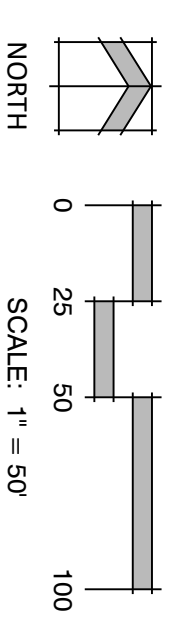
PUD PRELIMINARY PLAN

A PORTION OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY



GROUND COVER LEGEND

NATIVE GRASSES Urban Native Seed Mix	39-456 #'
ROCK MULCH 3/4" Cinnamon Granite	21566 #'
COBBLE 2" Grapple Creek Gold One	24103 #'
TALL REEFCUE SOGD	9566 #'



N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903
Tel. 719.471.0073
Fax. 719.471.0267
www.nescsolorado.com
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IN ASSOCIATION WITH
PLANNER / LANDSCAPE ARCHITECT

STERLING RANCH FILING 5

PUD Preliminary Plan

PROJECT INFO
DATE: 08/29/23
PROJECT MGR: A. BARLOW
PREPARED BY: A. LANGRISH

ISSUE INFO

DATE:	BY:	DESCRIPTION:
12/04/2023	BP	PER COUNTY REVIEW
01/04/2024	BP	PER COUNTY REVIEW
01/12/2024	BP	PER COUNTY REVIEW

ISSUE / REVISION

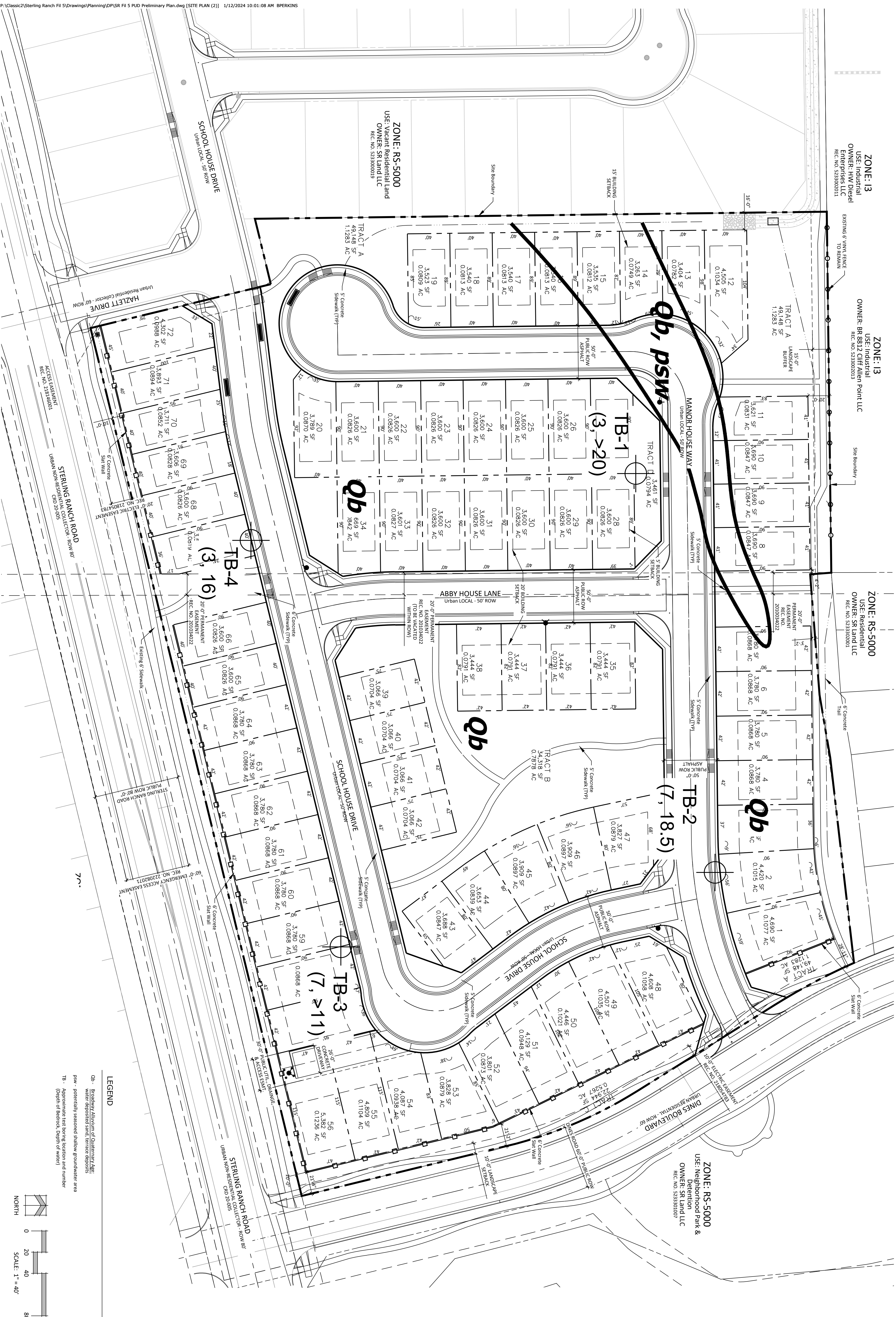
FINAL LANDSCAPE PLAN

PLAN FILE #	SHEET NUMBER	SHEET TITLE
	8 OF 9	PUDSP232

STERLING RANCH FILING 5

PUD PRELIMINARY PLAN

A PORTION OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY



ZONE: RS-5000
USE: Residential
OWNER: SR Land LLC
REC. NO. 523300019

ZONE: RS-5000
USE: Residential
OWNER: SR Land LLC
REC. NO. 523300019

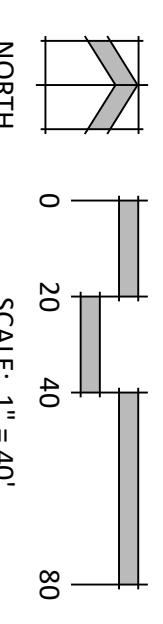
ZONE: RS-5000
USE: Neighborhood Park & Recreation
OWNER: SR Land LLC
REC. NO. 523300019

ZONE: RS-13
USE: Industrial
OWNER: HW Diesel Enterprises LLC
REC. NO. 5233002011

ZONE: RS-13
USE: Industrial
OWNER: BR 8812 Cliff Allen Point LLC
REC. NO. 523300013

LEGEND

- QB - Breakdown Allotment of Contiguity Area
- psw - water deposited sand, terrace deposits
- psw - potentially reasoned shallow groundwater area
- TB - Approximate test boring location and number (Depth of bedrock, Depth of water)



PLAN FILE #	SHEET NUMBER	SHEET TITLE	ISSUE / REVISION	ISSUE INFO	STAMP	PROJECT INFO	IN ASSOCIATION WITH	PLANNER / LANDSCAPE ARCHITECT																	
PUDSP232	9 OF 9	PUD PRELIMINARY PLAN GEOHAZARDS CONSTRAINTS MAP	<table border="1"> <tr> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>12/04/2023</td> <td>BP</td> <td>PER COUNTY REVIEW</td> </tr> <tr> <td>01/04/2024</td> <td>BP</td> <td>PER COUNTY REVIEW</td> </tr> <tr> <td>01/12/2024</td> <td>BP</td> <td>PER COUNTY REVIEW</td> </tr> </table>	DATE	BY	DESCRIPTION	12/04/2023	BP	PER COUNTY REVIEW	01/04/2024	BP	PER COUNTY REVIEW	01/12/2024	BP	PER COUNTY REVIEW	<table border="1"> <tr> <th>DATE</th> <th>PROJECT MGR.</th> <th>REMARKS BY:</th> </tr> <tr> <td>08/29/2023</td> <td>B. PERKINS</td> <td></td> </tr> </table>	DATE	PROJECT MGR.	REMARKS BY:	08/29/2023	B. PERKINS		<p>STERLING RANCH FILING 5 PUD Preliminary Plan</p>	<p>www.nrescolorado.com © 2012. All Rights Reserved.</p>	<p>N.E.S. Inc. 619 N. Cascade Avenue, Suite 200 Colorado Springs, CO 80903 Tel: 719.471.0073 Fax: 719.471.0267</p>
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01/12/2024	BP	PER COUNTY REVIEW																							
DATE	PROJECT MGR.	REMARKS BY:																							
08/29/2023	B. PERKINS																								

**Colorado Springs Airport Advisory Commission Meeting
To Be Heard September 27, 2023
Land Use Review Item #11**

EL PASO COUNTY BUCKSLIP NUMBER(S)/FILE NUMBER(S): PUDSP232 <i>RESIDENTIAL PRELIMINARY PLAN</i>	PARCEL #(S): 5233302049
DESCRIPTION: <p>Request by N.E.S. Inc. on behalf of Classic SRJ Land, LLC for approval of a Preliminary Plan for Sterling Ranch Filing 5. The plan includes a rezone to PUD (Planned Unit Development) for 72 single family residential units and right of way road. The site is currently zoned RR-5/CAD-O (Residential Rural/Commercial Airport District) and consists of approximately 11.7 acres. The site is located east of Black Forest Rd and Research Pkwy.</p>	
CONSTRUCTION/ALTERATION OF MORE THAN 200 FEET ABOVE GROUND LEVEL? No	DISTANCE/DIRECTION FROM COS: 9.7 miles north of Rwy 17L
TOTAL STRUCTURE HEIGHT AT THE ESTIMATED HIGHEST POINT: 35 feet above ground level; 7,063 feet above mean sea level	COMMERCIAL AIRPORT OVERLAY SUBZONES PENETRATED: None
ATTACHMENTS: https://epcdevplanreview.com/Public/ProjectDetails/191947 CLICK ON VIEW PUD DEVELOPMENT PLAN UNDER DOCUMENTS LIST	

STAFF RECOMMENDATION/CONDITIONS OF APPROVAL

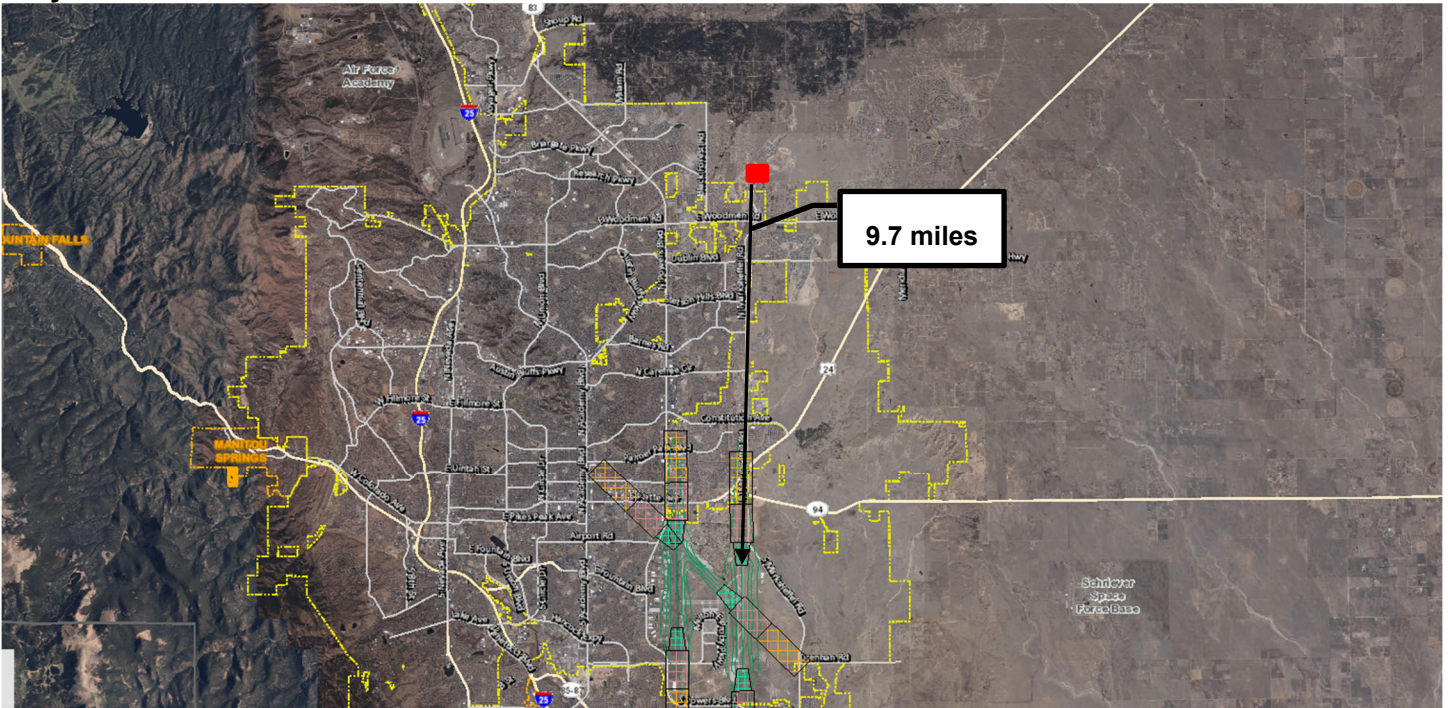
Subject to Airport Advisory Commission Action

*Airport staff recommends **no objection** with the following conditions:*

- **Avigation Easement:** An avigation easement is requested or provide proof of previous recording (book/page or reception number).
- **Airport Acknowledgment:** Upon accepting residency within Sterling Ranch, all adult residents and occupants shall be required to sign a notice in which the tenant acknowledges that Sterling Ranch lies within an Airport Overlay Zone and is located less than 10 miles from Colorado Springs Municipal Airport and may, at times (24 hours per day), experience noise and other activities and operations associated with aircraft and the Airport.
- **FAA Form 7460-1:** If use of equipment (permanent or temporary) will exceed 200 feet above ground level in height at this site, the applicant is to file an airspace evaluation case with the Federal Aviation Administration (FAA) and provide the results to the Airport before the commencement of construction activities; FAA's website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>).

Colorado Springs Airport Advisory Commission Meeting To Be Heard September 27, 2023 Land Use Review Item #11

Project location exhibit:





January 16, 2024

Kari Parsons, Project Manager
El Paso County Development Services Department
Sent via online portal at: <https://epcdevplanreview.com>

Re: Sterling Ranch Filing No. 5
File #: SF241 and PUDSP232
Part of the SW ¼ of Sec. 33, Twp. 12 South, Rng. 65 West, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision File No. 31087 - 2nd Letter

Dear Kari Parsons:

We have received the above-referenced submittal to divide 11.66 acres known as Tract B of Sterling Ranch Filing No. 2 into 72 single-family lots. The proposed source of water supply is service provided by the Falcon Area Water and Wastewater Authority (FAWWA). This letter supersedes the comments provided by this office on December 11, 2023.

Water Supply Demand

The estimated water demand for residential use and irrigation is 24.26 acre-feet/year for all 72 lots.

Source of Water Supply

The proposed source of water supply is service provided by the Falcon Area Water and Wastewater Authority (FAWWA). According to the letter dated March 31, 2023, the FAWWA is committed to serving the 24.26 acre-feet/year of water required by Filing No. 5.

According to the Water Resources Report prepared by RESPEC dated August 2023 (“Report”) and the information provided by John McGinn on September 25, 2023 to this office, the FAWWA has a water supply of 1,930.03 acre-feet/year based on a 300-year supply consisting of Denver Basin aquifer water adjudicated in Water Court case nos. 85CW131 (Shamrock West water), 86CW19, 91CW35, 93CW18/85CW445 (Bar-X Ranch water), 08CW113, 17CW3002, 18CW3002, and 20CW3059 and Determination of Water Right nos. 1689-BD, 1690-BD, and 1691-BD (McCune water). A summary of these water rights is provided in Table 3 of that Report. Because FAWWA anticipates serving 3,710 SFEs in 2040 and 7,310 SFEs in 2060, FAWWA may seek to connect with other water suppliers and investigate the use of lawn irrigation return flow (LIRF) credits and aquifer storage/recharge to increase its supply. Note that our office calculates that 1,929.85 acre-feet/year is available based on a 300-year supply. This discrepancy appears to originate from a difference in the quantity of water calculated to be available from case no. 91CW35. **The FAWWA should be aware that they are limited to the decreed amounts in 91CW35 which are as follows: 3,400 acre-feet from the Dawson aquifer, 7,600 acre-feet from the Denver aquifer, 4,900 acre-feet (not the 4,936 acre-feet claimed in Table 3) from the Arapahoe aquifer, and 3,600 acre-feet (not the 3,623 acre-feet claimed in Table 3) from the Laramie-Fox Hills aquifer.**



There are 970.5 acre-feet/year of uncommitted supply available to the FAWWA based on our estimate of 1,929.85 acre-feet/year of supply and 959.35 acre-feet/year of commitments, including this filing. Therefore, there appears to be more than sufficient legal supply to supply this development on a 300-year basis.

The proposed source of water for this subdivision is bedrock aquifers in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. The Denver Basin water rights adjudications have been decreed by the State of Colorado, Water Division 1 District Court, Water Division 2 District Court, and the Colorado Groundwater Commission. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this **allocation** approach, the annual amounts of water decreed are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Additionally, according to 37-90-107(7)(a), C.R.S., "Permits issued pursuant to this subsection (7) shall allow withdrawals on the basis of an aquifer life of 100 years." Based on this **allocation** approach, the annual amounts of water allocated in the determinations are equal to one percent of the total amount, as determined by rule 5.3.2.1 of the Designated Basin Rules, 2 CCR 410-1. Therefore, the water may be withdrawn in those annual amounts shown on attached Table 1 for a maximum of 100 years.

The *El Paso County Land Development Code*, Section 8.4.7.(B)(7)(b) states:

"(7) Finding of Sufficient Quantity

(b) Required Water Supply. The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of 300 years."

The State Engineer's Office does not have evidence regarding the length of time for which this source will "meet the average annual demand of the proposed subdivision." However, treating El Paso County's requirement as an **allocation** approach based on 300 years, the allowed average annual amount of withdrawal would be reduced to one third of that amount which is greater than the annual demand of FAWWA's commitments. As a result, the water may be withdrawn in those annual amounts for 300 years.

A review of our records shows well permit no. 86007 may be located on the subject property. This well was decreed as the West Well in case no. W-1309 and permitted with permit no. 86007 for livestock use with an appropriation date of December 31, 1953, and 0.022 cfs (10 gallons per minute). The well depth is unknown. Section 37-92-602(3)(b)(III), C.R.S. requires that the cumulative effect of all wells in a subdivision be considered when evaluating material injury to decreed water rights. According to the letters dated January 5, 2024, the FAWWA is not able to locate this well. The FAWWA has filed an abandonment report and downgrade request with this office to abandon the well and its associated water right.

Additional Comments

The application materials indicate that a stormwater detention structure will be constructed as a part of this project. The Applicant should be aware that unless the structure can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), C.R.S., the structure may be subject to administration by this office. The Applicant should review DWR's *Administrative*

Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The Applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal* to meet the notification requirements, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>.

State Engineer's Office Opinion

Based upon the above and pursuant to section 30-28-136(1)(h)(I) and section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

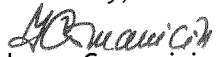
Our opinion is qualified by the following:

The Division 1 Water Court, Division 2 Water Court, and Ground Water Commission have retained jurisdiction over the final amount of water available pursuant to the above-referenced water rights, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifers as identified in this letter are calculated based on estimated current aquifer conditions. The source of water is from non-renewable aquifers, the allocations of which are based on a 100-year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Please contact Wenli.Dickinson@state.co.us or (303) 866-3581 x8206 with any questions.

Sincerely,



Ioana Comaniciu, P.E.

Water Resource Engineer

Attachments: *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*

Ec: Permit no. 86007 file

County Attorney

Kenneth R. Hodges, County Attorney
719-520-6485
Centennial Hall
200 S. Cascade, Suite 150
Colorado Springs, CO 80903
www.ElPasoCo.com

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

January 19, 2024

PUDSP-23-2 Sterling Ranch Filing No. 5
Preliminary Plan

Reviewed by: Lori Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Classic SJF Land LLC (“Applicant”), to rezone and subdivide an approximately 11.66 +/- acre tract of land into 72 single-family lots. The property is currently zoned RR-5 (Residential Rural).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the Applicant estimated its annual water needs to serve this subdivision at 24.59 acre-feet/year. The Applicant estimates household indoor use at 22.26 annual acre-feet for 72 lots based on an average demand of 0.309 annual acre-feet per lot,¹ plus irrigation of 0.93 acres for a demand of 2.33 annual acre-feet, for a total water demand of 24.59 acre-feet/year for Sterling Ranch Filing No. 5. Based on these figures, the Applicant must provide a supply of 7,377 acre-feet of water (24.59 acre-feet/year x 300 years) to meet the County’s 300-year water supply requirement for the subdivision.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Falcon Area Water and Wastewater Authority (“FAWWA” or “Authority”). The Authority was recently created to serve Sterling Ranch and The Retreat at TimberRidge, previously served by Sterling Ranch

¹ The *Water Resources Report* breaks this calculation down further to estimate 0.265 annual acre-feet per lot for 12 smaller lots and 0.318 annual acre-feet per lot for 60 lots.

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Metropolitan District. The *Water Resources Report* (“Report”) indicates the Authority’s water supply is sourced from on-site non-tributary water rights, including water from Denver, Arapahoe and Laramie-Fox Hills aquifer wells. The *Report* indicates that the current developed physical supply is 1930.16 annual acre-feet/300 years. The total water commitment is currently at 900.76 annual acre-feet/300 years as of August 2023. There is thus a net excess of currently available water of 1029.40 AF/300 years.

4. The Falcon Area Water & Wastewater Authority provided a letter of commitment for Sterling Ranch East Filing No. 5 dated March 31, 2023, in which the Authority committed to providing water service for the 72 lots plus irrigation, for an annual water requirement of 24.26 acre-feet/year.

State Engineer’s Office Opinion

5. In a letter dated January 16, 2024, the State Engineer’s Office reviewed the application to subdivide the 11.66 +/- acres into 72 single-family lots. The State Engineer stated that “[t]he proposed source of water supply is service provided by the Falcon Area Water and Wastewater Authority (FAWWA).” Further, the State Engineer stated that “. . . pursuant to section 30-28-136(1)(h)(I) and section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.” The Engineer further advised that their opinion that the water can be provided without injury is based on the determination that the amount of water that is legally available on an annual basis, according to the statutory allocation approach is greater than the annual amount of water required to supply existing water commitments and the estimated demands of the proposed subdivision.²

Recommended Findings

6. Quantity and Dependability. Applicant’s water demand for Sterling Ranch Filing No. 5 is 24.59 acre-feet per year for a total demand of 7,377 acre-feet for the subdivision for 300 years, to be supplied by FAWWA. **Based on the Authority’s available water supply of approximately 1029.40 annual acre-feet, the County Attorney’s Office recommends a finding of sufficient water quantity and dependability for Sterling Ranch Filing No. 5.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney’s Office reviewed the following documents in preparing this review: the *Water Supply Information Summary*, the *Water Resources Report* dated April

² The State Engineer’s Office states that its records reflect that FAWWA has 1,929.85 acre-feet/year of total supply and 959.35 acre-feet/year of existing commitments, resulting in 970.5 acre-feet/year of uncommitted supply.

2023, the *Falcon Area Water & Wastewater Authority* letter dated March 31, 2023, and the *State Engineer Office's Opinion* dated January 16, 2024. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.

cc: Kari Parsons, Project Manager, Senior Planner

RESOLUTION NO. 24-

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN
STERLING RANCH FILING NO. 5 PUD PRELIMINARY PLAN (PUDSP232)

WHEREAS, Classic SRJ Land, LLC did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone property located within the unincorporated area of the County and more particularly described in Exhibit A, which is attached hereto and incorporated by reference, from the RR-5 (Residential Rural) zoning district to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development Plan; and

WHEREAS, in accordance with Section 4.2.6.E of the El Paso County Land Development Code (as amended) (hereinafter "Code"), the applicants are also requesting the PUD Development Plan be approved as a Preliminary Plan with a finding of water sufficiency for water quality, dependability, and quantity; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on February 1, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the subject Planned Unit Development and Preliminary Plan; and

WHEREAS, a public hearing was held by this Board on February 22, 2024; and

WHEREAS, based upon the evidence presented, including testimony, exhibits, consideration of the master plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The application was properly submitted for consideration by the Board of County Commissioners.
2. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and Board of County Commissioners of El Paso County.
3. The hearings before the Planning Commission and Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. The proposed PUD District zoning advances the stated purposes set forth in Chapter 4, Section 4.2.6, of the Code.

5. The application is in general conformity with the El Paso County Master Plan.
6. The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County.
7. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area.
8. The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g., commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use-to-use relationships.
9. The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community.
10. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project.
11. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities.
12. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g., fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed.
13. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design.
14. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner.
15. Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide.
16. The owner has authorized the application.

17. The proposed subdivision is in general conformance with the goals, objectives, and policies of the El Paso County Master Plan.
18. The subdivision is consistent with the purposes of the Code.
19. The subdivision is in conformance with the subdivision design standards and any approved sketch plan.
20. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code.
21. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of the Code.
22. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)].
23. Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the El Paso County Engineering Criteria Manual (hereinafter "ECM") are provided by the design.
24. The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development.
25. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM.
26. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.

27. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
28. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
29. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.
30. For the above-stated and other reasons, the proposed zoning is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

WHEREAS, a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the application to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development Plan.

BE IT FURTHER RESOLVED that in accordance with Section 4.2.6.E of the El Paso County Land Development Code (as amended), the Board of County Commissioners hereby approves the Sterling Ranch Filing No. 5 PUD Development Plan as a Preliminary Plan.

BE IT FURTHER RESOLVED the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. Development of the property shall be in accordance with this PUD Development Plan. Minor changes in the PUD Development Plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require the submittal of a formal PUD Development Plan amendment application.
2. Approved land uses are those defined in the PUD Development Plan and development guide.
3. All owners of record must sign the PUD Development Plan.
4. The PUD Development Plan and Development Guide shall be recorded in the office of the El Paso County Clerk & Recorder prior to any Final Plat approvals.

5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471, as amended), at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, as provided by the County Attorney's Office.
8. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of Final Plat(s) recordation.

NOTATIONS

1. Subsequent Final Plat filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 22nd day of February 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

LEGAL DESCRIPTION:

"TRACT B, BRANDING IRON AT STERLING RANCH FILING NO. 2 RECORDED UNDER RECEPTION NO. 220714654 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER"